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THE ROMAN *MAGISTRI* IN THE CIVIL AND MILITARY SERVICE OF THE EMPIRE

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THE following essay formed part of an investigation of the employment of the word *magister* or Master, to use the English equivalent, as an official title by the Romans, the object being to discover whether there existed any general principle or principles which, in specific cases, determined the use of this to the exclusion of other titles. As a basis for reaching a conclusion on this point an attempt has been made to show clearly,

- (1) what classes of officials enjoyed the title of Master,
- (2) how this title came to be employed in each instance, if that can be determined,
- (3) the character of the offices filled by and the sphere of competence of the several Masters, and
- (4) the period during which, in the respective cases, this title continued in use.

The scope of this study has been limited to an examination, according to the preceding scheme, of such Masters as were officials of the imperial government during the Principate and Later Roman Empire. To simplify the discussion these Masters have been divided into the two classes of (i) Civil and (ii) Military Officials, into which they naturally fall.

I. MASTERS WHO WERE IMPERIAL OFFICIALS IN THE CIVIL SERVICE OF THE ROMAN EMPIRE

The Masters who were imperial officers in the civil service of the Roman Empire may be classed as follows:

- (A) Masters engaged in the administration of the imperial finances.
- (B) Masters who were chiefs of the central secretarial bureaux.
- (C) The Master of the Offices and the Master of the Audiences.¹

¹ The Master of the Offices (*magister officiorum*) has been omitted from the following discussion, having been reserved to form the subject of a special study.

It is proposed first to consider separately the history and character of the several masterships falling within each of the above divisions, and then, from the results thus attained, to trace the general history of the use of the title Master in imperial official circles.

(A) *Masters engaged in the Administration of the Imperial Finances*

The Masters engaged in the administration of the imperial finances may be arranged in the following groups, of which the first includes such of these Masters as belong to the period of the Principate, while the other three embrace those who appeared during the transitional epoch of the third century or after the reorganization of the Roman governmental system effected by Diocletian and Constantine:

- (a) Masters and Deputy Masters who were imperial revenue officers,
 - (b) Masters who were officials of the *res privata*,
 - (c) Masters who were officials of the *fiscus*,
 - (d) Masters who were officers of the *domus divina*.
- (a) Masters and Deputy Masters who were Imperial Revenue Officers.

From the end of the first and from the second century come a few inscriptions recording once a Master and several times Deputy Masters, who were imperial officials employed in collecting the revenues of the state or of the imperial exchequer. The tributes and taxes under the Principate at first were raised, as under the Republic, by companies of tax-farmers who purchased this right from the state.¹ These companies were headed by a *manceps* or president but the management of their finances was in the hands of a Master, at Rome, and Deputy Masters, in the various districts where the taxes were collected.² When these societies were gradually supplanted by the imperial procurators, and the taxes raised directly by the government, it was but natural that, for a time at least, the titles of Master and Deputy Master should be employed for some of the new officials, especially as contractors for the taxes themselves were taken up at times into the imperial service.³

¹ Hirschfeld, *Kaiserliche Verwaltungsbeamten bis auf Diocletian*, pp. 77, 98, 99.

² Marquardt, *Staatsverwaltung*, 2, pp. 300 ff.; Cagnat, *publicani* in *Daremberg et Saglio, Dictionnaire des Antiquités grecques et romaines*, 4, I, p. 752.

³ Hirschfeld, *KVB*. pp. 87, 88.

The epigraphical evidence for these Masters and Deputy Masters is very scanty, a fact which may be due to the comparatively unimportant positions which they held. Apparently such officials had disappeared long before the reorganization of the revenues carried out by Diocletian. However, while these offices existed they, belonging as they did to the series of procuratorial appointments, were held by members of the equestrian order.¹

Such Masters and Deputy Masters whose titles the inscriptions have preserved are the following:

Magister XX hereditatium — Master of the five per cent inheritance tax,

Promagister XX hereditatium — Deputy Master of the five per cent inheritance tax,

Promagister hereditatium — Deputy Master of the inheritances,

Promagister frumenti mancipalis — Deputy Master of the corn rent,

Promagister portuum — Deputy Master of the port dues.

Each of the above mentioned Masters or Deputy Masters will now be considered more closely.

1. *Magister XX Hereditatium* — Master of the five per cent Inheritance Tax.

An inscription from Lyon, which records the official career of Temistheus, father-in-law of the Emperor Gordian III, attributes to him the title of *procurator in urbe magister XX*, regularly completed by *hereditatium*.²

Cagnat³ explains that there were at Rome two bureaus, one for the raising of this tax in the city and presided over by a *procurator XX Romae*, the other for the general control of the revenues derived from this tax elsewhere. The Master, he thinks, was in charge of the latter bureau. Further, he considers that the control of these two offices was sometimes in the hands of the same person, who would then be known as *procurator in urbe, magister XX*. He also holds that both bureaus were subject to a general superintendent — the *procurator XX hereditatium*.

¹ Cf. the inscriptions quoted below.

² Wilmanns, *Exempla Inscriptionum Latinarum*, 1293, cf. Cagnat, *Étude historique sur les impôts indirects sous les Romains*, p. 195; Hirschfeld, *KVB*. p. 103, n. 3.

³ *L. c.*

This view, however, does not seem reasonable nor is it borne out by evidence. On the contrary, the opinion of Hirschfeld,¹ who accepts the two bureaux at Rome but places the second under the *procurator XX hereditatium*, appears to be the only possible interpretation. Therefore the Master of the five per cent inheritance tax, with the title of *procurator in urbe, magister XX*, was the head of the local office for Rome.

2. *Promagister XX Hereditatium* — Deputy Master of the five per cent Inheritance Tax.

With the foregoing Master are to be associated the Deputy Masters engaged in the collection of the same tax. Of these latter we have the following examples:

(1) C. Julius Flavianus who was Deputy Master after his tribunate in the seventh legion and before his procuratorship of the Maritime Alps.²

(2) Postumus who advanced from procurator of the libraries to procurator and Deputy Master of the inheritance tax and thence to procurator of the grain import at Ostia.³

(3) Q. Plotius Maximus, likewise procurator and Deputy Master, who, before filling that post was tribune of the sixth legion and, afterwards, became prefect of the post.⁴

(4) C. Lepidius Secundus who, like Flavianus and Maximus, was made Deputy Master after having served as a military tribune.⁵

These Deputy Masters, some of whom also bore the title procurator, can have been nothing else but subordinate officers of the central bureau for the control of the receipts from the inheritance tax. If they had been officials of the different stations for the collection of this tax in the provinces, their special districts would have been designated.⁶ With the combination of the titles procurator and Master

¹ KVB. pp. 104-105 with notes.

² *Corpus Inscriptionum Latinarum*, 6, 1620 Rome; 13, 1812 Lugdunum.

³ *Id.* 8, 20684, *proc(uratori) Aug(usti) a bybliothecis, proc(uratori) vicesima[e] promag[istro, proc(uratori) Aug(usti) [ad ann]ona(m) Osti(en)s(em)*. For the reading *promag.*, not *et mag.*, (*Corpus*) cf. Hirschfeld, KVB. p. 103, n. 3.

⁴ *Id.* 9, 3835, 3836 Auxium, *trib(unus) leg(ionis) VI victric(is), pro(curator) Aug(usti) promagist(er) XX hereditatium, praefectus vehiculorum*.

⁵ *Id.* 11, 1326 Luna.

⁶ Cf. the examples quoted by Hirschfeld, KVB. p. 101, n. 2 ff.

one may compare the union of procurator and *conductor* in the form *procurator Augusti conductor vectigalis eiusdem*.¹

The rank of the Deputy Masters may be seen from the inscriptions quoted, their office being one of the first steps in the procuratorial career.

3. *Promagister Hereditatium* — Deputy Master of the Inheritances.

An inscription from Lugdunum,² dating from the close of the second century, is dedicated to a Lucius Marius who began his official career with the position of *promagister hereditatium*. Later he was advanced to the post of *procurator stationis hereditatium*. In neither of these titles does the word *hereditatium* refer to the inheritance tax, as immediately before his appointment to the latter office Marius had been *procurator XX hereditatium*. It seems clear then that both Deputy Master and procurator "*hereditatium*" are to be considered as the titles of officials engaged in the administration of the *hereditates*, or inheritances which the emperor received by bequest. These inheritances were administered, probably from the time of Hadrian, in conjunction with the *bona vacantia* and *caduca*, by imperial officers.³

From this single inscription it is hard to determine the relation of the Deputy Master to the procurator. Hirschfeld⁴ suggests that the former is to be considered as a higher assistant of the latter, and this seems a likely conjecture.

As these inheritances had never been collected, like the taxes, by companies of tax-farmers, the appearance here of the title of Deputy Master can only be explained by the supposition that this bureau was organized on the model of that of the inheritance tax, where there were officers who had such a title.

4. *Promagister Frumenti Mancipalis, Promagister Portuum* — Deputy Master of the Corn Rent, Deputy Master of the Port Dues.

A series of inscriptions from Ephesus, belonging to the opening years of the second century, record dedications of a certain C. Vibius

¹ *CIL.* 3, 10,605, Rostowsew, *Arch., Epig. Mitt.* XIX, p. 136.

² *CIL.* 13, 1810, L. Mario L. f. Quir(ina) Perpetuo, pontifici, procuratori provinciarum Lugdunensis et Aquilaniae, procuratori stationis hereditatium, procuratori patrimonii, procuratori monetae, promagistro hereditatium. . . .

³ Hirschfeld, *KVB.* pp. 110-117.

⁴ *Id.* p. 117, n. 2.

Salutaris, who was Deputy Master for the port dues of the province of Sicily and likewise Deputy Master of the corn rent.¹ He was then appointed prefect of a cohort of auxiliary troops.

The phrase *portuum provinciae Siciliae* of the inscription evidently refers to the port dues (*portoria*) of that province,² and it is clear that this Deputy Master was an imperial official. Hirschfeld, following Rostowsew,³ considers his position analogous to that of the contractors (*conductores*) who, in the second century, took the place of the publicans in collecting the revenues on the frontiers. That is to say, he was dependant upon the governmental administration and undertook the task of exacting the revenue in return for a definite sum. This is in accord with the general tendency of the period to supplant the societies of the tax-farmers by government officers.⁴

This same Vibius was, as we see from the inscription quoted, *promagister frumenti mancipalis*. This *frumentum mancipale* was the rental, usually paid in kind, from the public land which in Sicily even under the Empire was of large extent, and whose revenues fell into the imperial treasury (*fiscus*).⁵

Under the Republic these revenues were collected by the usual societies of contractors.⁶ Here, however, a government official, perhaps first appointed by Domitian, appears in charge of this work.⁷ As there is no trace of a special bureau with subordinate officials to manage the details of the collection of this rent, it is possible that the Deputy Master acted through the agency of the former companies of tax-farmers.⁸

¹ *CIL.* 3, 14, 195, 4-13, *promag(ister) portuum provinciae Siciliae, item promag(ister) frumenti mancipalis, praef(ectus) coh(ortis) Asturum et Gallaecorum, trib(unus) mil(itum) leg(ionis) XXII primigeniae p(ia) f(idelis)*, etc. The inscriptions are bilingual, the Greek for *promagister portuum* being ἀρχῶνς λιμένων ἐπαρχίας Σικελίας. Cf. the ἀρχῶνς μ. (= XXXX) λιμῶν Ἀσίας καὶ ἐπίτροπος Σεβαστοῦ of *Archaeologische Epigraphische Mitteilungen*, XIX, p. 1, no. 36.

² Hirschfeld, *KVB.* p. 11.

³ *Staatspacht*, pp. 393 f.

⁴ Hirschfeld, *KVB.* p. 84.

⁵ *Op. cit.*, p. 140.

⁶ Cicero, in *Verrem*, *passim*.

⁷ The date of *CIL.* 3, 14, 195, 4 is 104 A.D. and Vibius held this post very early in his official career.

⁸ Hirschfeld, *l. c.*

In these two instances there seems to be no doubt that the title Deputy Master was directly adopted from the societies of the publicans into the list of governmental official designations. The ranking of these offices of Deputy Master below that of a prefect of an auxiliary cohort shows that they were inferior to the other positions conferring a similar title, which regularly ranked higher than the military tribunate.¹

(b) Masters who were Officials of the *Res Privata*.

From the time of Septimius Severus the term *res privata* was used to denote the personal property of the emperor in contrast to the *patrimonium*, or property adhering to the imperial title, and the domains of the state whose revenues flowed into the state treasury or *fiscus*.²

Among the officials engaged in the administration of the *res privata* the following Masters appear:

- (1) *Magister Privatae* — Master of the *Res Privata*,
- (2) *Magister Privatae Aegypti et Libyae* — Master of the *Res Privata* in Egypt and Libya,
- (3) *Magister Privatae Rei Africae* — Master of the *Res Privata* in Africa,
- (4) Masters of the *Res Privata* in other Provinces,
- (5) *Magister Aeris sive Privatae Rei* — Master of the *Res Privata* in Pontus and Asia.

These Masters will now be considered in the order given above.

1. *Magister Privatae* — Master of the *Res Privata*.

This Master, who might be called the Master of the Privy Purse, is known from four inscriptions of the end of the third and opening

¹ See above, sections 2 and 3. Perhaps another Master of this class is to be recognized in Cagnat, *Inscriptiones Graecae ad res Romanas pertinentes*, 3, 1229. Canathae, Κλαύδιος Ἡλιοδώρος Πλάκου, μαγίστρος πρετωρίου φ. φ. Φοινίκης, ἐκτίσεν, etc., as possibly *πρετωρίω* should have been written for *πρετωρίον*, cf. Waddington, *Voyage Archeologique*, no. 2350.

² For the *fiscus*, cf. Hirschfeld, *KVB*. p. 9; for the *patrimonium* and *res privata*, *id.* p. 25, "das Patrimonium ist von Severus bis auf Diocletian das Krongut, die *res privata* die Privatschatulle des Kaisers," cf. p. 43.

of the fourth century.¹ The only one of these that can be definitely dated, namely *CIL.* 3, 12,044, is an imperial edict of the year 314 A.D.

It is known that the *res privata* was at first administered by a procurator, who had the title of *procurator rationis privatae*.² However it seems that an inscription of the third century mentions a *magister summae rationis privatae*,³ who may be regarded as the successor of the *procurator*. If this assumption be correct, the Master here mentioned, at the beginning of the fourth century, received the simpler title of *magister privatae*.⁴

That this Master was the chief of the department of the *res privata*, and not a subordinate official thereof, is clear from imperial constitutions where his position is parallel to that of the *rationalis* or chief of the *fiscus*, and where only one *rationalis* and one Master are mentioned, while all the prefects and governors of provinces are referred to.⁵ The advancement of Attius Felicianus from Master of the *res privata* to Viceprefect of the Watch⁶ is in accord with the importance of this mastership.

In the constitution of 314, dealing with the restoration of estates, which had been expropriated by the *fiscus*, to their original possessors, the bureau (*officium*) of the Master of the *res privata* is mentioned.⁷ Here we see that the Master, like the *rationalis*, had at his command procurators, probably for the separate provinces, who served in this bureau. Also we have proof that the bureau of this Master court

¹ *CIL.* 3, 12,043, *super i[taque] omnibus tam ad praefectos nostros quam [etiam et] praesides et rationalem et magistrum privat[ae script]a direximus*; 12,044—13,059, 11, 26 ff., 42 ff.; 5, 2781, *(ad) rati[onales et ad] magistrum privatae*; 8, 822 C. *Attio Feliciano . . . vicepraef(ecto) vigilum, mag(istro) summae privatae, magistro [summa]rum rationum*, etc.

² Hirschfeld, *KVB.* pp. 25, 43.

³ *CIL.* 6, 1630, *magister summae rat(ionis) privatae*. For the reading cf. Hirschfeld, *op. cit.*, l. c.

⁴ *CIL.* 3, 12,043, 12,044; *magister summae privatae* in 8, 822.

⁵ For *CIL.* 3, 12,043 see above; 3, 12,044, 42 ff., *quid super omnibus tam praefectis nostris quam etiam praesidibus provinciarum, rationali quoque, et privat(ae) magistro scripsimus*; cf. 5, 2781.

⁶ *CIL.* 8, 822, quoted above.

⁷ *CIL.* 3, 12,044, 26 ff., *[in] officio rationalis et privatae magistri vel etiam procuratorum [u]triusque officii super possessionibus sive mancipiis lis inchoata*, etc.

served as a court of justice in specific instances, in this case for claims regarding the ownership of estates in possession of the crown.

Under Constantine I, at some time between 314 and 323,¹ the Master of the *res privata* was given the title of *rationalis*, a change which indicates that the administration of the *res privata* was accorded a position in the state equal to that of the *fiscus*.²

At the same time it seems that the title of *magister privatae* was assumed by the procurators in charge of the administration of the *res privata* in the different provinces. Thus it comes that we know of Masters of the *res privata* in Africa and in Egypt, and have references to such Masters in the provinces in general.

2. *Magister Privatae Aegypti et Libyae* — Master of the *Res Privata* in Egypt and Libya.

The title *magister privatae Aegypti et Libyae* appears in an inscription from Alexandria of the reign of Constantine I,³ and this Master is also mentioned in a papyrus fragment of the early fourth century⁴ as well as in Athanasius' Apology to Constantius.⁵ The Master of the *res privata* in Egypt was, therefore, an official of the first half of the fourth century.

Now, since in Egypt the *res privata* developed from the Ptolemaic institution known as the *ἴδιος λόγος*,⁶ the Master, in all probability, was the successor of the Idiologos, or *ἐπίτροπος ἰδίου λόγου*,⁷ an intermediate form in the development of this title being, as Wilcken⁸

¹ *CIL*. 6, 1133, 1704; *Notizi degli Scavi* 1899, p. 491; Hirschfeld, *KVB*. p. 37, n. 1. After 342 the *rationalis* had the title of *comes privatarum*, Mommsen ad *CIL*. 3, 12,044, *Notitia Dignitatum* s. v.

² His, *die Domänen der römischen Kaiserzeit*, p. 49; Hirschfeld, *KVB*. pp. 43-44.

³ *CIL*. 3, 18, *Val(erius) Epifanius v(ir) p(erfectissimus), mag(ister) privatae Aeg(ypti) et Lib(yae)*.

⁴ *Berliner Griechische Urkunden* 927—Mitteis und Wilcken, *Grundzüge und Chrestomathie der Papyruskunde*, 1, 2, 176 (reading with the latter) [κατα]κέλευσιν τοῦ διασημοτάτου, μαγίστρου [τῆς] πριονάτης.

⁵ Ch. 10, *Ρούφινος καὶ Στέφανος ὧν ὁ μὲν καθολικός ὁ δὲ μάγιστρος* — ἦν ἐκεῖ, i. e., at Alexandria.

⁶ Hirschfeld, *KVB*. pp. 208, 343 ff.; Mitteis u. Wilcken, 1, 1, pp. 146 ff., 154 f.

⁷ Hirschfeld, *KVB*. p. 358.

⁸ Mitteis u. Wilcken, 1, 1, p. 163; cf. Wessely, *Wiener Studien*, 1902, p. 145.

suggests, ἐπίτροπος τῆς προνότης, which appears in a papyrus from the beginning of the fourth century.

The Master of the *res privata* in Egypt, like the *rationalis* who was in charge of the *fiscus* in that province,¹ had the rank of *perfectissimus*,² in Greek διασημότατος.³ However, the *rationalis* took precedence over the Master,⁴ as the *rationalis* in charge of the *fiscus* at Rome ranked above the Master who superintended the central administration of the *res privata*.

From the title borne by Valerius Epifanius⁵ we see that the administration of the *res privata* in Libya was, for a time at least, in the hands of the official who directed the *res privata* in Egypt. The *rationalis*, however, was, as his title shows,⁶ appointed for Egypt only.

This Master of the *res privata* in Egypt is not mentioned in the *Notitia Dignitatum*, and it is probable that at the time of its compilation⁷ his position was filled by one of the *rationales rerum privatarum*, who were the subordinates of the *comes privatarum*.⁸

3. *Magister Privatae Rei Africae* — Master of the *Res Privata* in Africa.

The Master of the *res privata* in Africa is referred to in a constitution of 319 A.D. addressed to the *rationalis Africae*,⁹ while another of the following year was directed to Dometius Dracontius, *magister privatae rei Africae*.¹⁰ Two other constitutions were addressed to the same Dracontius without the addition of his official title but while he still held this office, as their contents show.¹¹

These imperial edicts concern the administration of the *res privata* in Africa. One deals with the joint proportional contribution of the rental (*inlatio*), when an imperial estate (*fundus*) was occupied by

¹ *CIL.* 3, 17, 4892.

³ Mitteis u. Wilcken, I, 2, 178.

² *CIL.* 3, 18.

⁴ Athanasius, *l. c.*

⁶ *CIL.* 3, 18, *mag(ister) privatae Aeg(ypti) et Lib(yae)*.

⁷ *CIL.* 3, 17, *rat(ionalis) Aeg(ypti)*.

⁸ The final recension of the *Notitia Dignitatum* had taken place by 425, Mommsen, *Hermes*, XXXVI, p. 547.

⁹ *Not. Dig. or.* p. 37 (ed. Seeck); Mommsen ad *CIL.* 3, 18; De Ruggiero, *Dizionario Epigrafico di Antichità Romana*, I, p. 288.

¹⁰ *Codex Theodosianus*, IO, I, 2.

¹¹ *Id.* IO, I, 4, ad Dometium Dracontium *mag(istrum) privatae rei Afric(ae)*.

¹² *Id.* II, 19, I, 321 A.D.; *Codex Justinianus*, II, 62, 2. under Constantine I.

several tenants.¹ Another discusses cases where the payments in money or in kind from estates occupied by minors, through the negligence of tutors or curators, had not been made by the appointed date.² The two remaining constitutions, which concern estates exempt from the authority of the *fiscus*, provide a penalty for the *rationalis*, the Master of the *res privata*, and their subordinates, in case they should have encroached upon such holdings.³

This Master of the *res privata* in Africa, like the official of similar name in Egypt, appeared, as has been seen, in the reign of Constantine I, and also had disappeared by the time of the compilation of the *Notitia Dignitatum*. But here the Master does not seem to have had a direct predecessor, like the *Idiologos* in Egypt, for the procurators of the several *tractus* or *regiones* were the sole representatives of the *res privata* or the *patrimonium* in Africa.⁴ Therefore it would seem that this office was created by Constantine on the model of that previously existing in Egypt.

4. Masters of the *Res Privata* in other Provinces.

It seems that, at the time when Masters of the *res privata* were appointed for Egypt and Africa, similar officials were created for many, if not for all, of the remaining provinces, although definite mention of any one of them is wanting. The evidence, however, for their presence is the following.

Firstly, a constitution of 326 A.D. regulates the relations of the sons of *comites*, *praesides*, *rationales* and *magistri privatae* to the provincial *curiales*.⁵ This implies a number of Masters, apparently distributed throughout the provinces.

Secondly, the appearance of Masters of the *res privata* at the same time in Egypt and Africa indicates a general administrative reform, for, if the imperial domain lands in Egypt occupied a peculiar position, in Africa apparently they did not.

Finally, in the *Notitia Dignitatum*, we find in the East, under the orders of the *comes rei privatae*, officials called *rationales rerum privatarum*;⁶ and in the West, subject to the corresponding *comes*, similar officers for Illyricum, Italy, the city Rome and the urban regions with

¹ C. Th. 11, 19, 1.

² C. J. 11, 62, 2.

³ C. Th. 10, 1, 2 and 4.

⁴ Hirschfeld, *KVB*. p. 43, n. 1.

⁵ C. Th. 12, 1, 14.

⁶ *N. D. or.* p. 37.

part of Faustina, Sicily, Africa, Spain, Gaul, the Five Provinces and Britain.¹ As the *rationales* succeeded the Masters in the control of the *res privata* in Egypt and in Africa, one is led to think that in the other provinces or dioceses for which the *Notitia* mentions *rationales* there had previously been Masters of the *res privata*.²

From these considerations the conclusion may be drawn that, at the time when the Master of the central bureau of the *res privata* was made a *rationalis*,³ Constantine appointed for each province separately, or for groups of several provinces, Masters to supervise the administration of the *res privata* in these several districts, taking for his model Egypt, where such an official, although under a different name, already existed.

It is not certain when the Masters became *rationales*. However, these latter were in charge of the *res privata* in the provinces in 366 A.D.,⁴ and the probability is that when the chief of this department was raised from the rank of *rationalis* to that of *comes*,⁵ the heads of the provincial bureaus received the title of *rationalis*.

It has been seen that the Master of the *res privata* in Egypt and Libya enjoyed the rank of *perfectissimus*. One may conclude that the other Masters had the same standing.

5. *Magister Aeris sive Privatae Rei* — Master of the *Res Privata* in Pontus and Asia.

This title *magister aeris sive privatae rei* occurs in a constitution of Theodosius II which deals with the allowances of provision and fodder due to all judges, whether *spectabiles* or *clarissimi*, who carried on civil or military administration throughout the provinces, and also to the *comes commerciorum*, the *magister aeris sive privatae rei*, and the *rationalis* for the diocese of Pontus and Asia, as well as to certain other officials.⁶

¹ *N. D. occ.* p. 155.

² Cf. His, *Domänen*, p. 55.

³ I. e., between 314 and 323 A.D., see above. It is possible that Lactantius, *de mortibus persecutorum*, ch. 11, in saying that Diocletian created "*rationales multi et magistri, etiam vicarii praefectorum*," refers to these masters, but there is no other evidence for their presence at so early a date.

⁴ *C. Th.* 5, 15, 20; cf. 10, 4, 3, 370 A.D.

⁵ I. e., by 342, *C. Th.* 10, 10, 6.

⁶ *C. J.* 1, 52, 1, 439 A.D., *omnibus tam viris spectabilibus quam viris clarissimis iudicibus, qui per provincias sive militarem sive civilem administrationem gerunt, nec*

Gothofredus read this text with no punctuation between *rei* and *rationali*,¹ so that the title was, in his opinion, *magister aeris* or *privatae rei rationalis*. Further, he considered that this Master was the same as a *rationalis summarum*, which would be highly improbable if he were also a *rei privatae rationalis*, for the *rationales rei privatae* were the subordinates of the *comes privatarum* and were quite distinct from the *rationales summarum* who stood under the *comes sacrarum largitionum*.²

Since, in the constitution quoted, only one *comes commerciorum*, one Master, and one *rationalis*, are mentioned, it seems that the phrase *per Ponticam et Asianam diocesis* qualifies each of these titles. The Master, therefore, may be regarded as officiating for the whole diocese. For the presence of an official with a similar title in other departments there is no evidence.

From the alternative title of this Master we see that he was an officer of the *res privata*. Now, according to the *Notitia Dignitatum*, which was compiled shortly before the publication of this constitution of Theodosius II, the only officials who, at this period, were concerned with the administration of the *res privata* and who occupied a position of somewhat similar rank to the *comes commerciorum* were the *rationales rerum privatarum*.³ Hence it seems highly probable that the Master in question was one of these *rationales*. It has been pointed out already that the Masters of the *res privata* throughout the provinces were superseded, in the course of the fourth century, by *rationales*, but it may be that in this case the title of *magister privatae rei*, for some unknown reason, had been preserved. For the other form of the title, *magister aeris*, I can see no explanation.

If the reading adopted by Krüger, which has been followed here, is correct, the *rationalis* referred to in the text would be one of the *rationales summarum*.⁴

(c) Masters who were Officials of the *Fiscus*.

The *fiscus*, or treasury into which flowed the revenues falling to the emperor in his official capacity as head of the state,⁵ employed, among other officers, some who had the title of Master.

non comiti commerciorum, magistro aeris sive privatae rei, rationali per Ponticam atque Asianam diocesis, etc.

¹ Commentary to *C. Th.* 10, 1, 2.

² *N. D. or.* pp. 36-37.

³ *N. D., l. c.*

⁴ Cf. *N. D. or.* p. 36.

⁵ Hirschfeld, *KVB.* p. 9.

One of these, the *Magister Summarum Rationum* — Master of the Highest Accounts — was abolished in the reign of Constantine I. The others, who were called *Magistri Lineae Vestis* — Masters of the Linen Vestments — and *Magistri Privatae (Vestis)* — Masters of the Private Vestments, — appear in the fifth century when the term *summae rationes* had been superseded by that of *sacrae largitiones* — sacred largesses — as a designation for the administration of the state treasury.

1. *Magister Summarum Rationum* — Master of the Highest Accounts.

The title of this Master apparently developed from that of the *procurator summarum rationum*, who was a subordinate of the *procurator a rationibus*, later known as *rationalis*, the chief of the administration of the *fiscus*.¹

It is impossible to determine precisely when the Master of the Highest Accounts was first appointed. The inscription of Attius Felicianus,² who held this office, dates from the end of the third century,³ and the fragmentary record of another of these Masters, M. Julius Serenius, is to be placed at about the same time.⁴ A reference in Eusebius⁵ shows that the office existed under Diocletian.

In the reign of Constantine I the title of Master of the Highest Accounts seems to have been altered to that of *vicarius summae rei rationum*,⁶ and later, probably when the *rationalis* became the Count of the Sacred Largesses, this office vanishes completely.⁷

There is scarcely anything known regarding the activities of this Master. However, from the reference of Eusebius to the career of

¹ Hirschfeld, *KVB.* pp. 31–39; Friedländer, *Sittengeschichte Roms*, I, p. 172; Rostowsew in *De Ruggiero*, 3, p. 135.

² *CIL.* 8, 822; *Bulletin de Comité des travaux historiques*, 1893, p. 214, C. Attio Alcimo Feliciano, *p(er)fectissimo v(iro), vicepraef(ecto) praet(orio), praef(ecto) annonae, vicepraef(ecto) vigulum, mag(istro) summae privatae, mag(istro) (summa)rum rationum, curatori operis (thea)tri, proc(uratori) hereditarium*, etc., cf. Hirschfeld, *KVB.* p. 487.

³ Rostowsew in *De Ruggiero*, 3, p. 135; v. Rhoden in *Pauly-Wissowa, Realencyclopädie der klassischen Altertumswissenschaft*, 2, p. 2252.

⁴ *CIL.* 6, 1618.

⁵ *Historia Ecclesiastica*, 8, 11, 2.

⁶ *CIL.* 6, 1704; Hirschfeld, *KVB.* p. 39, n. 1.

⁷ Mommsen, *Nuove Memorie del' Istituto*, 1865, p. 324.

Aduactus,¹ it seems to follow clearly that he was an official of the *fiscus* and a subordinate of the *rationalis*, for this Aduactus, who was in the service of the *fiscus*, was first Master and afterwards *rationalis*.²

As can be seen from the career of Felicianus, the Master of the *summae rationes* ranked below the Master of the *res privata*, but above the procurators.³ From the same inscription it seems likely that this Mastership did not bring with it the rank of *perfectissimus*, which the *rationalis* held, although it probably carried a salary of 300,000 sesterces.⁴

2. *Magistri Lineae Vestis* and *Magistri Privatae* — Masters of the Linen and Private Vestments.

These *magistri lineae vestis* and *privatae* are mentioned in the *Notitia Dignitatum* among the officials under the orders of the Count of the Sacred Largesses in the Eastern Empire.⁵ The same titles are not found among the corresponding officers in the West, but their place is taken by the Count of the Robes (*comes vestiarum*).⁶ The same Masters are referred to together in a constitution of 426 A.D. addressed to the Count of the Sacred Largesses,⁷ which is the only other record of them that we have.

However, in spite of this meagre evidence, the general character of the offices of these Masters is quite clear. The title *magister lineae vestis* — Master of the Linen Vestments — is self-explanatory; the vestments here included not only wearing apparel but also such articles as linen cloths, napkins, towels, and even tents.⁸ In regard to the *magistri privatae*, it is probable that the full form of their title was *magistri privatae vestis* — Masters of the Private Vestments.⁹ At all

¹ Eusebius, *l.c.* διὰ πασῶν διελθὼν ἀνὴρ τῆς παρὰ βασιλεῦσι τιμῆς, ὡς καὶ τὰς καθόλου διοικήσεις τῆς παρ' αὐτοῖς καλουμένης μαγιστρότητός τε καὶ καθολικότατος.

² I have here accepted the interpretation of Hirschfeld, *KVB.* p. 39. Mommsen, however, explains μαγιστρότητος as *magister summae privatae*, *Nouv. Mem.*, 1865, p. 320.

³ *CIL.* 8, 822, see above. Similarly the *vicarius*, the successor of the Master, ranked below the *rationalis* who superseded the Master of the *res privata*, *CIL.* 6, 1704.

⁴ Hirschfeld, *KVB.* p. 435.

⁵ *N. D. occ.* p. 148.

⁶ *N. D. or.* p. 36.

⁷ *C. J.* 11, 7, 14.

⁸ *Lintea, mappae, mantilia, papiliones*; Pancirolus, *Commentarium in Notitiam, ad loc.*

⁹ Cf. the reading of *C. J.* 11, 7, 14, *privatae vel lintae* (= *lineae*) *vestis magistri*.

events, although the title *magistri privatae* is the same as that borne by officials of the *res privata* at an earlier period, the separation of these Masters from the bureau of the *comes rerum privatarum* and their position as subordinates in the department which administered the *fiscus* makes any connection between them and the earlier Masters of the *res privata* impossible.¹

Clearer proof of the character of these Masters' activities is found in the constitution of Theodosius II cited already. This edict provided that the Masters of the Privata and Linen Vestments, as well as the overseers of the dye-works and cloth-factories, and other officials who held similar positions, should not be permitted to superintend any work in which the imperial treasury was concerned before they had deposited a certain caution.² Here we see that these Masters are placed among the overseers of the imperial factories. Now one of the most important industries thus conducted by the state was the manufacture of linen goods, which was carried on by the guild of the *lintarii*.³ The duty of the Master of the Linen Vestments was, then, the superintendence of this linen manufacture, at least in so far as the production was destined for the use of the imperial household. The close connection between the activities of this Master and those of the Master of the Private Vestments, evidenced by their position in the *Notitia Dignitatum* as well as by the Theodosian constitution, leads to the conclusion that the sphere of the latter was the charge of the articles other than linen reserved for the imperial wardrobe.⁴ This is in accord with the testimony of Cassiodorus⁵ that at one time the care of the royal wardrobe was intrusted to the Count of the Sacred Largesses, to whom the Masters in question were subordinated.

¹ This distinction has been pointed out already by Pancirolus, *Commentarium ad loc.*, and by Gothofredus on *C. Th.* 10, 1, 2; cf. Böcking's edition of the *Notitia Dignitatum*, 1, 2, p. 53, n. 13.

² *C. J.* 11, 7, 14, *privatae vel linteae vestis magistri, thesaurum praepositi, vel baphiorum ac textrinatorum procuratores, ceterique, quibus huiusmodi sollicitudo committitur, non ante ad rem sacri aerarii procurandam permittantur accidere quam satisfactionibus dignis eorum administratio roboretur.*

³ *C. Th.* 10, 20, 16; Gothofredus on *C. Th.* 10, 20.

⁴ Cf. Pancirolus, in *Notitiam Dignitatum, ad comitem sacrarum largitionum.*

⁵ *Variae*, 6, 7, *Vestis quoque sacra tibi antiquius noscitur fuisse commissa ut quicquid ad splendorem regum pertinet tuis non minus ordinationibus oboediret.*

The reason why these Masters were under the orders of the Count of the Sacred Largesses is that their functions affected the interests of the imperial treasury over which he presided.¹

Pancirolos in his commentary to the *Notitia Dignitatum* considers these Masters to be the same as the *procuratores rei privatae* of an edict of Constantine I.² Inasmuch as these procurators had also to do with the imperial factories, it is quite possible that they later became the Masters here under discussion, a similar development in the official title having occurred in the cases of the Masters of the Highest Accounts and the *res privata*. Also the rank of the Masters of the Linen and the Private Vestments was not much superior to that of the procurators, as may be seen from the *Notitia* and the constitution of 426 A.D.

In both of these documents the Masters are mentioned in the plural, but nothing is said regarding their number or location. In contrast we find only one such official in the Western Empire, namely the *comes vestiarii*.

(d) Masters who were Officers of the *Domus Divina*.

The *domus divina* consisted of a special class of imperial domains, which, in the latter half of the fourth century, were separated from the *res privata* and placed under an independent administration.³ An important part of the *domus divina* was formed by the imperial domains in Cappadocia. These were at first administered by a Count of the Domains (*comes domorum*), who was a subordinate of the Royal Chamberlain (*praepositus sacri cubiculi*).⁴ Later, in the reign of Justinian, this Count of the Domains was superseded by the Proconsul of Cappadocia, who also, as far as these domains were concerned, was responsible to the Chamberlain.⁵

The Count of the Domains had been assisted in his administration by an *officium*, of which the members were styled *comitiani*.⁶ This bureau in 536 A.D. came under the authority of the Proconsul of Cap-

¹ Cf. *C. J.* II, 7, 14, quoted above.

² *C. Th.* I, 32, 1 = *C. J.* II, 17, 2. Pancirolos, *l. c.*

³ His, *die Domänen der römischen Kaiserzeit*, pp. 75, 76.

⁴ *Id.*

⁵ *J. Nov.* 30, 536 A.D., His. p. 78.

⁶ *J. Nov.* 30, 2; His, p. 77.

padocia.¹ At that time it was presided over by thirteen *priores* (πρωτεύοντες) who were called *magistri primi et secundi* (μαγιστροί πρῶτοι καὶ δεύτεροι).² These were probably the heads of a corresponding number of departments in the bureau, each of which directed the management of one of the thirteen large estates (*domus*, οἰκίαι) that formed the *domus divina* in Cappadocia.³ It is not clear why these Masters were called "first" and "second," but perhaps these two classes indicated grades of seniority among the Masters corresponding to the importance of the estates for which they were responsible or the length of their service in the bureau.

Justinian's reorganization was intended to check administrative abuses which had developed under the older régime. Accordingly, to secure a more effective collection of the rentals due from the imperial domains, thirteen *exactores* were appointed, one for each of the estates, and they alone had authority to raise this revenue.⁴ These *exactores* were appointed by the Masters,⁵ who, together with the whole bureau, were responsible for their conduct.⁶ If, however, any of these *exactores* was unable to perform his duties, the Masters were to nominate an assistant (*adiutor*) to aid him and for this officer also they had to go surety with their persons and property.⁷

Evidently there had been a good deal of extortion practised by the superior officials of this bureau to the disadvantage of their inferiors because this form of "graft" was checked by the following provisions. Neither the thirteen Masters nor the exactors nor any other subordinate in the bureau were to make any contribution to the proconsul in office on account of their appointment or for any other cause.⁸ How-

¹ *J. Nov.* 30, 2; *His*, p. 77.

² *Id.*

³ *J. Nov.* 30, 2. *Domus* or *oikia* has here the same significance as *saltus* or *massa*, *His*, p. 68.

⁴ *J. Nov.* 30, 2, *nominari autem volumus per (domum) unamquamque periculo totius comitiani officii et tredecim priorum, quos scilicet magistros primo et secundos vocant, alios post illos continuo respondentes tredecim, unum sicut dictum est, per domum unamquamque.* For the title *exactores* cf. *id.* 4.

⁵ At least the Masters were entitled to receive a contribution from them on account of their nomination, *J. Nov.* 30, 2, see below.

⁶ *J. Nov.* 30, 2.

⁷ *Id.* 4, *sancimus autem tredecim priores magistros nec non et sequentes alium quempiam adiutorem ei denominare periculo proprio <et> exstantium eis rerum.*

⁸ *J. Nov.* 30, 2, *nihil autem praebere penitus neque eos, qui dudum priores vocabantur*

ever, each of the *exactores* had to pay the sum of fifty *solidi* to the thirteen Masters.¹ But they were henceforth to be free from the oppressive payments previously extorted from them by the Masters and the Count of the Domains.²

This is all the information that we have in regard to these Masters and as no other mention of them occurs it is impossible to say whether such officials were found in the service of the *domus divina* elsewhere than in Cappadocia.

(B) *Masters, who were Chiefs of the Central Secretarial Bureaus*

Under the Principate there gradually developed, as the result of the concentration of the government in the hands of a single individual, a number of secretarial departments, through which the central executive dispatched the correspondence and kept the records necessary for the administration of the empire. These departments were carried over, with minor changes, into the Later Empire. The officials at the head of several of these bureaus attained, in the course of the third century, the title of Master which they from this time on retained.

The list of these Masters, who took their more specific titles from the bureaus over which they presided, is as follows.

1. *Magistri Scriniorum* — Masters of the *Scrinia*.

- (a) *Magister Memoriae* — Master of the Memory,
- (b) *Magistri Epistularum Latinarum et Graecarum* — Masters of the Latin and Greek Correspondence,
- (c) *Magister Libellorum* — Master of the Petitions,
- (d) *Magister Sacrarum Cognitionum* — Master of the Sacred Inquests,
- (e) *Magister Dispositionum* — Master of the Imperial Schedules.

2. *Magister Censuum* — Master of the Census.

et secundi magistri, neque quos post eos tredecim sancivimus exactionem fiscalium celebrare neque alium comitiani officii [quo] per tempus spectabili proconsuli occasione denominationis aut alterius cuiuslibet causae, tantum quinquagenis solidis ab unoquoque tredecim exactorum prioribus tredecim magistris praebendis.

¹ *Id.*

² *Et magnam nobis fiscalium exactores debent gratiam profiteri liberantibus eos plurimis illis damnis, quae prius magistris praebebant et per tempus spectabili comiti et eius officio, id. 4.*

3. *Magister Studiorum* — Master of the Records.

These Masters will now be considered in the order given above.

1. *Magistri Scriniorum* — Masters of the *Scrinia*.(a) *Magister Memoriae* — Master of the Memory.

The Master of the Memory, who had the seniority in rank among the Masters of the *Scrinia*, was the head of the *scrinium memoriae*.¹ His title developed from that of the official called *a memoria* under the Principate.² The form *magister memoriae* is found in Pollio's life of Claudius Gothicus (268–270 A.D.),³ and Vopiscus, in his life of Carus,⁴ mentions a Julius Calpurnicus, *qui ad memoriam dictabat*, who was probably at the head of the same bureau. But perhaps the first certain appearance of the title in its final form is in the orations of Eumenes,⁵ who himself, about 305 A.D., held the office of Master of the Memory.

Ammianus Marcellinus mentions four of these Masters, namely, Aedesio, ex-Master in 355,⁶ Rusticus Julianus, who before his mastership had been proconsul of Africa and afterwards became urban prefect,⁷ Eupraxius, who from this post was promoted to the quaestorship,⁸ and Festinus Tridentius, who was an ex-Master in 371 A.D.⁹ Eutropius¹⁰ the compiler of the *Brevia* was also a Master of the Memory. Likewise three inscriptions of the fourth century record holders of this office. One of these was Saturninus Secundius, who was governor of Aquitania, Master of the Memory, Count of the first order and proconsul of Africa.¹¹ Another was Sextilius Aedesius, whose career included the offices of Master of the Petitions, Master of the Corre-

¹ *N. D. or.* p. 44, *occ.* p. 161.

² Hirschfeld, *KVB.* p. 335; not from the *a studiis*, as Mommsen, *Nuov. Mem. dell' Inst.*, 1865, pp. 328 ff., cf. Friedländer, *Sittengeschichte*, 1, 110, n. 3.

³ *Vita Claudii*, ch. 7.

⁴ *Vita Cari*, ch. 8, for 283 A.D.

⁵ 4, 6; 4, 11; 4, 14; 4, 15; 5, 1; 5, 2; 7, 1.

⁶ *Ex magistro memoriae*, *Hist.*, 15, 5, 3.

⁷ 27, 6, 2, 367 A.D.

⁸ 27, 6, 14, A.D. 367, cf. 28, 1, 25.

⁹ 29, 2, 21, *magisterioque peracto*.

¹⁰ *Fl.* 376 A.D. For his position cf. the dedication of the *Brevia*.

¹¹ *CIL.* 6, 1764, *Saturnino Secundio v(iro) c(larissimo), praesidi provinciae Aquitaniae, magistro memoriae, comiti primi ordinis, proconsuli Africae*, etc. His mastership dates before 361 A.D.

spondence, Master of the Memory and vicar of the prefects for the Spanish provinces.¹ This person was probably identical with the Aedesius of Ammianus, who was ex-Master in 355 A.D.² The third of these inscriptions is only a fragment where the title of ex-Master appears.³ Further, an inscription of the fifth century mentions a Claudius Lepida, ex-consular of Germania Prima, ex-Master of the Memory and ex-Count of the *res privata*.⁴ Finally, in one of the constitutions of Theodosius II, published in 438 A.D., Epigenes has the title of Count and Master of the Memory.⁵

As we see from the notices cited above, the Master of the Memory had the rank of *clarissimus* in the fourth century.⁶ In the fifth, however, he had attained the rank of *spectabilis* and the title of *comes*.⁷ In the time of Diocletian his salary was 300,000 sesterces.⁸ By the middle of the fourth century this Master had assumed that preëminence over the other Masters of the *Scrinia* which he still enjoyed in the following century.⁹ This Master also ranked with the highest of the provincial governors, but lower than the vicars and the high officials of the central administration, such as the Count of the *res privata* or the quaestor.¹⁰

The functions of the Master of the Memory, as defined by the *Notitia*, consisted in the drawing up in outline of the short imperial decisions which did not come within the competence of the quaestor, in the despatching of the same, when completed, and in the answering

¹ CIL. 6, 570, *Sextilius Agesilaus Aedesius v(ir) c(larissimus)*, . . . *item magister libellorum et cognitionum sacrarum, mag(ister) epistular(um), magister memoriae, vicarius praefector(um) per Hispanias*.

² Amm. 15, 5, 3.

³ CIL. 6, 8621, *ex mag(istro) memo(riae)*.

⁴ CIL. 12, 1524, *Cl. Lepida, ex consulari Germaniae Primaе, ex mag(istro) memor(iae), ex comi(te) rerum privat(arum)*. 409-413 A.D.

⁵ *Theodosianae Novellae*, 1, 7, *fin.*, *Epigenes, v(ir) s(pectabilis), com(es) et mag(ister) memoriae*.

⁶ CIL. 570, 1764, and *Eutropius, v(ir) c(larissimus), magister memoriae* in the dedication of his *Brevia*.

⁷ *Th. Nov.* 1, 7; *C. J.* 12, 9, 1, 444 A.D.

⁸ *Trecena illa sestertia quae sacrae memoriae magister acceperam*, Eum. *pro inst. sch.* 11.

⁹ CIL. 6, 570; *N. D. ll. cc.*

¹⁰ Cf. CIL. 6, 570, 1764; 12, 1524. Julianus was proconsul of Africa before being appointed Master (Amm. 27, 6, 2), but Secundius was first Master, then proconsul, CIL. 6, 1764.

of petitions.¹ From the latter part of these duties it can be seen that by the first quarter of the fifth century this Master had usurped in part the functions of the Masters of the Correspondence and the Petitions, and while these then merely received and reported upon the petitions (*preces*) the actual responses thereto were in his hands. It was also through the office of the Master of the Memory that military appointments, as well as those made by the quaestor,² and the orders and nominations issued by the Master of the Offices,³ were despatched.

This development of the competence of the *scrinium memoriae* to the detriment of the other bureaux had already made considerable progress in the third century and was the result of the close relations which necessarily ensued between its chief and the person of the emperor.⁴

In the Byzantine Empire the Master of the Memory at first had the title of ἀντιγραφεὺς τῆς μνήμης,⁵ which was later changed to (ὁ) ἐπὶ τῶν ἀναμνήσεων.⁶

(b) *Magistri Epistularum* — Masters of the Correspondence.

The *Notitia Dignitatum* mentions two Masters of the Correspondence, one for Latin and the other for Greek, in the Orient,⁷ but only one, the Master of the Latin Correspondence, in the Occident.⁸ This resulted from the official documents being published in two languages in the former, in only one in the latter, half of the Roman world. These Masters were the successors of the earlier officials called *ab epistulis* and *ab epistulis Graecis*.⁹

¹ *N. D. or.* p. 44, *adnotationes omnes dictat et emittet, et precibus respondet (respondet tamen et precibus, occ. p. 161)*. On the meaning of *adnotationes dictat* (cf. *qui ad memoriam dictabat, vit. Claud. 7, 2*) *vid.* Böcking, *Notitia Dignitatum*, pp. 325–327, 415, 6; Hirschfeld, *KVB.* p. 336.

² *C. Th.* I, 8, 2 = *C. J.* I, 30, 1, 424 A.D.

³ *C. Th.* I, 8, 1, 415 A.D.

⁴ On this point cf. Cuq, *Mémoire sur le concilium principis* (*Mémoires d'Institut Français*, 1884) pp. 311 f.

⁵ Petrus Patricius, *Fragmenta Historicorum Graecorum*, 4, p. 189.

⁶ Codinus, *De officialibus palatii Constantinopolitani*, pp. 11, 17; 41, 8 (Bekker).

⁷ *N. D. or.* p. 44, *magister epistularum Latinarum, magister epistularum Graecarum*.

⁸ *Id. occ.* p. 162.

⁹ Hirschfeld, *KVB.* p. 318, n. 1; Bloch in *Daremberg et Saglio*, 2, pp. 723–724. For the origin and growth of this office see, besides the authors cited, Friedländer, *Sittengeschichte*, 1, p. 182; Rostowsew, *Pauly-Wissowa*, 6, pp. 210 ff.

Apart from the incorrect use of the title in the *Historia Augusta*,¹ the earliest references to a Master of the Correspondence come from the fourth century, in the inscription of Aedesius quoted in the foregoing section,² and in a fragmentary inscription from Africa.³ Another mention of this officer is found in Symmachus.⁴ Among the chiefs of the *scrinia*, the Master of the Latin Correspondence ranked below the Master of the Memory, but above the Master of the Petitions.⁵ The Master of the Greek Correspondence, however, stood below the Master of the Petitions.⁶ Like the Master of the Memory, this secretary doubtless ranked among the *clarissimi* in the fourth century. In the fifth he was also a *spectabilis*, with the title of *comes*.⁷ At the time of Diocletian the Latin Secretary probably enjoyed a salary of 300,000 sesterces, while his colleague of the Greek department seems to have received only 200,000.⁸

According to the *Notitia*,⁹ the duty of the Master of the Correspondence was to examine and report upon the contents of documents presented by delegations from dependent or independent peoples, upon questions referred to the emperor by officials seeking advice, and upon various petitions. The Master of the Greek Correspondence drew up the forms for the documents which had to be put into Greek, or translated into that language the formulas which had previously been prepared in Latin.¹⁰ The actual issuing of these documents apparently rested with the *scrinium memoriae*.¹¹

¹ *Vita Hadriani* 11, Suetonio Tranquillo *epistolarum magistro*.

² *CIL*. 6, 570, Agesilaus Aedesius v. c. . . . , mag(ister) *epistular(um)*.

³ *Ephemeris Epigraphica*, 8, 262, . . . io Salustio, . . . , adlecto (magis)tro *epistular(um)*.

⁴ *Epistulae*, 7, 60.

⁵ *CIL*. 6, 510; *N. D. or.* p. 44, *occ.* p. 162.

⁶ *N. D. or. l. c.*

⁷ *C. J.* 12, 9, 1, 444 A.D., *viris spectabilibus magistris omnium sacrorum scriniorum*.

⁸ Hirschfeld, *KVB*. p. 435, n. 3.

⁹ *N. D.*, ll. cc., *legationes civitatum, consultationes et preces tractat*. On *tractare* cf. Böcking, *Notitia Dignitatum*, 2, p. 417, n. 7; Hirschfeld, *KVB*. pp. 322 ff. The competence of the earlier *ab epistulis* was greater but the office had lost by the development of the *scrinium memoriae*, cf. Cuq and Hirschfeld, *ll. cc.*

¹⁰ *Eas epistolas, quae graece solent emitti, aut ipse dictat aut latine dictatas transfert in Graecum*, *N. D. or.* p. 44.

¹¹ Hirschfeld, *KVB*. p. 357, and above.

(c) *Magister Libellorum* — Master of the Petitions.

In the case of the Master of the Petitions we have inscriptional evidence for the transformation of the title of his office from the form *a libellis*. The intermediate form was *magister a libellis*.¹ When this latter title was in use is not absolutely certain, but it cannot have been later than the third century, by the end of which the forms like *magister memoriae*, etc., had developed.²

Two inscriptions of the early fourth century give the title Master of the Petitions (*magister libellorum*),³ but another shows that this officer was called Master of the Petitions and Sacred Inquests (*magister libellorum et sacrarum cognitionum*) shortly after 350 A.D.⁴ Further, Ammianus has one reference to him as the "answerer of petitions."⁵ The *Notitia* has the older form of Master of the Petitions,⁶ which is also found in a constitution of Theodosius II from the year 438 A.D.⁷ However, in the constitution *tanta* of 533 we again meet with the title of Master of the Petitions and Sacred Inquests.⁸

These notices reveal that in the course of the fourth century the *scrinium libellorum* was united with that of the *cognitiones*, and, for a time, bore the title of *scrinium libellorum et sacrarum cognitionum*. From the end of the fourth century until early in the sixth this office had once more the simpler title of *scrinium libellorum*,⁹ but in the opening years of Justinian's reign it appears again as *scrinium libellorum sacrarumque cognitionum*.¹⁰

¹ CIL. 6, 1628, *magistro a libellis*, (*m*)*agistro a censibus*.

² Eumenes, *pro instr. sch.* 11.

³ CIL. 6, 1704, C. Caelio Saturnino *v(iro) c(larissimo)* . . . , *vicario a consiliis sacris, magistro studiorum, magistro libellorum*, etc., before 324 A.D. CIL. 10, 1487, *magistro (libel)lorum*, cf. Hirschfeld, *KVB*. p. 334, n. 1.

⁴ CIL. 6, 510, *magister libellor(um) et cognition(um) sacrarum*; cf. Amm. 15, 5, 3, and *magister memoriae* above.

⁵ 20, 9, 8, 360 A.D., *libellis respondens*.

⁶ *Magister libellorum*, *N. D. or.* p. 44, *occ.* p. 162.

⁷ *Th. Nov.* 1, 7, *Procopius, v(ir) s(pectabilis), com(es) et magister libellorum*.

⁸ C. J. 1, 17, 2, 9, *Constantinum, virum illustrem, comitem sacrarum largitionum et magistrum scrinii libellorum sacrarumque cognitionum* = ἀντιγραφέα τοῦ θεοῦ σκρινίου τῶν τε θείων λιβέλλων καὶ τῶν βασιλικῶν διαγνώσεων.

⁹ C. J. 12, 9, 1, 386 A.D.; 9, 3, 396; 9, 4, 407; 9, 6, 416; 9, 10, 498; 9, 11, 518.

¹⁰ C. J. 1, 17, 2, 9, 533 A.D. or *sacrorum libellorum et cognitionum*, *id.* 12, 19, 15, 527.

The Master of the Petitions ranked below the Master of the Correspondence,¹ but, like the other Masters of these bureaus, he probably had a salary of 300,000 sesterces under Diocletian and was a *clarissimus* in the fourth century.² In the fifth he was a *spectabilis* and could have the titles of *comes*.³ We have seen that in 533 Constantine, Count of the Sacred Largesses and Master of the Petitions, was an *illustris*.⁴ However it is not certain that this latter office of itself could confer upon its holder the *illustrissime*.

The duties of this Master consisted in the investigation of petitions and matters connected with the imperial inquests.⁵ At first this office seems to have handled only the private petitions,⁶ but from the time of its union with the bureau of the *sacrae cognitiones* the investigations conducted by the emperor came under its competence.⁷ Thus we find that the Masters of the Petitions were frequently jurists,⁸ and the contemporary holders of this office were concerned in the compilation of the Theodosian Code⁹ and Justinian's Digest.¹⁰ The answers to the petitions received in this office were, as has been pointed out, despatched through the *scrinium memoriae*.¹¹

The Greek title of this Master at the time of Justinian was ἀντιγραφεὺς τοῦ θείου σκρινίου τῶν τε θείων λιβέλλων καὶ τῶν βασιλικῶν διαγνώσεων,¹² later, in the Byzantine epoch, it became ὁ ἐπὶ τῶν δεήσεων.¹³

(d) *Magister Sacrarum Cognitionum* — Master of the Sacred Inquests.

Although this Master of the Sacred Inquests does not appear among the Masters of the *Scrinia* in the *Notitia Dignitatum* nor in the Codes, and although there is no example of this title from the fourth century, yet, because his office was absorbed by that of the Master of the Petitions, and because he at one time occupied the position of a chef de

¹ CIL. 6, 510; N. D. ll. cc.

³ Th. Nov. I, 7; C. J. 12, 9, 1.

² Hirschfeld, KVB. p. 435.

⁴ C. J. 1, 17, 2, 9.

⁵ *Cognitiones et preces tractat*, N. D. ll. cc.

⁶ Hirschfeld, KVB. p. 329.

⁷ Cuq, *le magister sacrarum cognitionum*, pp. 15 ff.

⁸ Hirschfeld, KVB. p. 329.

⁹ Th. Nov. I, 7.

¹⁰ C. J. 1, 17, 2, 9.

¹¹ On the development of this office cf. Cuq, *le magister sacrarum cognitionum*; Karlowa, *Römische Rechtsgeschichte*, I, p. 545; Hirschfeld, KVB. p. 326; Thenedat in *Daremberg et Saglio*, 3, p. 1174.

¹² C. J. l. c.

¹³ Codinus, pp. 11, 3; 39, 22 (Bekker).

bureau like the latter official, it seems right to give him a place here among the other Masters of the *Scrinia*.

The title *magister sacrarum cognitionum* occurs only once and then in an inscription from Aquileia in honor of Quintus Axilius Urbicus who, before filling this mastership, had been a *studiis* and a *consiliis Augustorum*.¹ The date of this inscription is uncertain. Hirschfeld² thinks that the emperors referred to may possibly have been the Philips (247–249 A.D.), while Cuq³ would make them Diocletian and Maximian (286–305). However, it seems certain that the Master of the Sacred Inquests was the successor of the *a cognitionibus*, although the development of his title was exceptional, in that it at one time had the form *procurator sacrarum cognitionum*.⁴

This Master had, as we see from the inscription quoted, the rank of *perfectissimus*.

The Master of the Sacred Inquests was concerned, as his title indicates, with the *cognitiones* or judicial investigations personally conducted by the emperor. His duty was probably to prepare the information necessary for the rendering of the imperial decision.⁵

Regarding the union of this office with that of the Petitions we have no direct information. However, as has been seen, the title *magister libellorum et sacrarum cognitionum*, which was in use previous to 376,⁶ and the definition of the duties of the Master of the Petitions found in the *Notitia*,⁷ show that it was accomplished in the fourth century at the latest. The reason therefor was probably that the imperial inquests became more and more rare, and, finally, were practically limited to cases of appeal, so that a separate bureau for the handling of the documents connected with such cases was no longer a necessity, and the

¹ CIL. 5, 8972, Q. Axilio Urbico, viro perfectissimo, magistro sacrarum cognitionum, a studiis et a consiliis Augustorum), etc.

² KVB. p. 330, n. 3.

³ O. c. p. 136.

⁴ *Buletino Comunale*, 1898, p. 42; Hirschfeld, KVB. p. 330, n. 2. For the development of this office cf. the references given for the *magister libellorum*, especially Cuq; also Thenedat, *Daremberg et Saglio*, 1, 1285; Premerstein, *Pauly-Wissowa*, 4, p. 220.

⁵ Cuq, *o. c.* p. 112; Hirschfeld, KVB. p. 331, n. 2.

⁶ CIL. 6, 510.

⁷ *Cognitiones et preces tractat*, N. D. or. p. 44, occ. p. 162.

department of the Petitions could very well assume the additional burden.¹

From the time of this amalgamation, the title of Master of the Sacred Inquests, when it occurs, is always an appendage to that of Master of the Petitions.

(e) *Magister Dispositionum* — Master of the Schedules.

The Master of the Imperial Schedules was the chief of the *scrinium dispositionum*, one of the four secretarial departments attached to the court in both the Eastern and Western Empires.²

This bureau is first mentioned in a constitution of the Emperor Julian, dated 362 A.D.,³ and its origin and functions are uncertain. However, the author of the biography of Alexander Severus speaks of the *dispositiones* of the emperor as the published schedule of his journeys throughout the empire;⁴ and in a constitution of 397 the members of this office are designated as those who have the care of the order of the imperial *dispositiones*.⁵ Hence it may reasonably be assumed that it was the duty of the bureau to prepare the program of imperial business, especially that part of it which concerned the number and routes of the emperor's journeys.⁶

The Master of the Schedules, although a *clarissimus* towards the end of the fourth century, was not of the same rank as the other Masters of the *Scrinia*, but only held the same grade as their *proximi*.⁷ He passed out of service with the rank of *vicarius*, having precedence over those of similar grade whose service had not been at the court.⁸ This subordinate position of the Master of the Schedules was due to the inferior nature of the business of his office. He was probably promoted from among the members of his own bureau.⁹

¹ Cuq, *magister sacrarum cognitionum*, p. 138.

² *C. Th.* 6, 26, 2; *C. J.* 12, 19, 11; *N. D. or.* p. 32, *occ.* p. 145.

³ *C. Th.* 6, 21, 6. ⁴ *Vita Alex.* 45; cf. *vita Juliani*, 3, 27; *vita Maximi*, 9.

⁵ *C. Th.* 6, 29, 9, *his, a quibus dispositionum nostrorum norma et series servatur.*

⁶ Cf. Gothofredus on *C. Th.* 6, 26, 1; Schiller, *Geschichte der röm. Kaiserzeit*, 2, p. 103; Karlowa, *R. R.* 1, p. 836; Seeck, *Pauly-Wissowa*, 4, p. 647, who also includes among the duties of this office the issuing of invitations to the imperial table.

⁷ *C. Th.* 6, 26, 2, 381 A.D., *Clarissimos viros proximos scriniorum et magis(tr)os dispositionum vicariorum ordini copulamus*, etc.

⁸ *L. c.*

⁹ At least this was true of his successor the *comes*, *C. J.* 12, 9, 3, 443-444 A.D.

The title of Master of the Schedules was in use up to 381 at least,¹ but by 414 it had given place to that of *comes*.² Seeck³ thinks that this change was due to the honorary rank of *comes* which Arcadius in 397 mentions as having been bestowed upon the *proximi* of the other *scrinia*.⁴

In regard to rank the Master of the Schedules may be compared to the Master of the Audiences, who was likewise honored with the rank of *vicarius* upon the expiration of his term of service,⁵ but, who, when in office, had only the rank of *perfectissimus*.⁶

In conclusion it is necessary to consider the appellation *provisionum et dispositionum magister*, which occurs in an inscription of the year 378.⁷ Cozensa⁸ takes this phrase to be the full title of the Master of the Schedules. This view seems, on account of the following considerations, to be an incorrect assumption.

Firstly, the position of these words among the preliminary expressions of honor addressed to Probus, and not among his official titles, seems to indicate that they did not form part of the latter. Is the phrase *humanitatis auctor*, which follows, an official title?

Secondly, the position of Master of the Schedules does not accord with the *cursus honorum* given here.

Finally, the expression is not found in any of the other inscriptions erected in honor of the same Probus.⁹

Therefore one is led to the conclusion that the phrase is merely complimentary, meaning "master of forethought and wise counsels."

¹ C. Th. 6, 26, 2.

² Id. 6, 2, 23 . . . *tota impleta militia ad proximum (et comitivam) dispositionum vel magistrum admissionum (pervenerit)*.

³ Pauly-Wissowa, 4, 647.

⁴ C. Th. 6, 26, 10, *comes tertii ordinis*; 6, 26, 17, *comes secundi ordinis*; id. 18.

⁵ C. Th. 6, 2, 23.

⁶ Id. 6, 35, 7.

⁷ CIL. 6, 1751 = Dessau, *Inscriptiones Latinae Selectae* 1265, *Nobilitatis culmini, litterarum et eloquentiae lumini, auctoritatis exemplo, provisionum et dispositionum magistro, humanitatis auctori, moderationis patrono, devotionis antesti, Petronio Probo, v(iro) c(larissimo), proconsuli Africae, praefecto praetorio per Illyricum, Italiam et Africam, consuli ordinario*, etc.

⁸ *Official Positions after Constantine*, p. 63.

⁹ Cf. Dessau, nos. 1266, 1267, 1268.

Before leaving the discussion of the Masters of the *Scrinia* there are certain observations to be made in regard to their offices in general.

According to the *Notitia Dignitatum*¹ these Masters, i. e., the Masters of the Memory, Correspondence and Petitions, for the Master of the Schedules had changed his title to that of Count before the compilation of this list of dignities, took precedence over the provincial governors who had the title of proconsul, but stood immediately below the Quartermaster of the Palace (*castrensis sacri palatii*).

An imperial constitution of 444,² concerning these Masters of the *Scrinia*, provided that after the expiration of their term of office they should be exempt from the burden of all extraordinary contributions levied by civil or military governors.

Bury³ has expressed the opinion that the Masters of the Memory, Correspondence and Petitions were not the heads of the *scrinia* bearing the corresponding names, but only received their *adiutores* from these *scrinia*. This view he bases on the fact that in the *Notitia* the *scrinia* are placed under the control of the Master of the Offices (*magister officiorum*), whereas the Masters themselves are not.⁴ In spite of this fact I think that he is mistaken in his opinion. That the Masters were the heads of the *scrinia* is clear, it seems to me, for the following reasons.

(a) The titles of the Masters correspond to those of the *scrinia*.

(b) In C. J. 12, 9, 8 (444 A.D.) the Masters are distinctly called Masters of the *Scrinia*—*magistri sacrorum scriniorum*—a title which would have no meaning if they were not the chiefs of the *scrinia*, for they were certainly not subordinate officials thereof. Further, from the second part of the same constitution⁵ one would infer that the *proximi* of the *scrinia* were their subordinates.

¹ *N. D. or.* p. 2, *occ.* p. 163.

² C. J. 12, 9, 8, *Viris spectabilibus omnium sacrorum scriniorum. . . . Ideoque post depositum etiam officium ab omne indictionis onore seu civilium seu militarium iudicium prorsus immunes esse praecipimus.*

³ "Magistri Scriniorum," etc., *Harvard Studies in Classical Philology*, XXI, p. 29; cf. *N. D. or.* p. 44, *officium autem de ipsis nemo habet, sed adiutores electos de scriniis.*

⁴ *N. D. or.* pp. 2, 31, 44; *occ.* pp. 103, 144, 162.

⁵ The first part has been quoted before. It continues, *hoc beneficium ad proximos etiam sacrorum scriniorum et exproximis volumus propagari.*

(c) The very name of the *proximi*, whom Bury calls the heads of the *scrinia*,¹ indicates that they had superiors. Other *scrinia*, not included among the *scrinia sacra*, were presided over by a *primicerius* or *primiscriinius*.²

(d) The fact that in the *Notitia* it is stated that the Masters had no *officium* of their own but selected assistants from the *scrinia*, is to be explained by the circumstance that they had no need of such a bureau owing to the existence of the *scrinia*. For special services, however, they required clerks whom they thus drew from among the employees of the *scrinia*.

(e) The Masters had been, from the time of the creation of their offices under the Principate, the chiefs of these departments and, if, upon the appearance of the Master of the Offices, they had lost touch with their *scrinia*, they certainly would not have been designated as Masters of the *Scrinia* as late as 444 A.D.³

(f) Nor is it altogether inexplicable that these Masters, if heads of the *scrinia*, were not subordinated to the Master of the Offices under whose commands their bureaus stood, but were, as it appears, under the direct orders of the emperor. The removal of the bureau chiefs from the control of the Master of the Offices was an excellent means of furnishing a check upon the abuse of his authority. And we may suppose that, although the Masters of the *Scrinia* guided the business there conducted, the officials employed in these departments were, in matters of discipline, promotion and the like, under the orders of the Master of the Offices alone. Perhaps another reason for this supervision exercised by the latter was that a great deal of his official correspondence was conducted through some of these *scrinia*.⁴

In the Western Empire the Masters of the *Scrinia* did not survive the fall of the Roman power in 476. Mommsen⁵ thought that they were identical with the *referendarii* of the Gothic kingdom in Italy, but

¹ *O. c.* p. 23.

² Lécivain, *Daremborg et Saglio*, 4, p. 1125, who accepts the Masters as the heads of these *Scrinia*.

³ Still later, in 533, we find the title *magister scrinii libellorum sacrarumque cognitionum*, *C. J.* 1, 17, 2, 9.

⁴ *C. Th.* 1, 8, 1.

⁵ *Ostgothische Studien*, *Neues Archiv*, XIV, pp. 225 ff. = *Gesamelte Schriften*, vol. 6 (*Historische Schriften*, 3), pp. 362 ff.

Bury¹ has shown that this view is incorrect. However, in the Eastern Empire, they continued to exercise their functions, although after the sixth century they no longer had the Latin title *magister*, but the Greek ἀντιγραφεὺς.² As ἀντιγραφεὺς, then, they appear in the eighth and ninth centuries in the office of the Quaestor.³

2. *Magister Censu*s — Master of the Census.

The earliest mention of this Master of the Census, *magister censu*s or *censuum*, occurs in the inscription of Caelius Saturninus⁴ of the reign of Constantine I, according to which it is possible that he held the mastership not later than 313 A.D.⁵

Regarding the development of this office various views have been advanced. Mommsen⁶ considers the Master of the Census to have been the successor of the former *curator actorum*, afterwards *ab actis senatus*, an official appointed by the *princeps* to record the transactions (*acta*) of the senate. This theory rests mainly upon the identification of the position of Master of the Census with that held by a certain Capuanus, mentioned by Cassiodorus,⁷ who was appointed *decuriarum rector* and admonished "to guard with purity of conscience the records of the senate."⁸ Assuming this identity, Mommsen⁹ argues that the similarity of the functions of the Master with those of the *ab actis senatus* proves the development of the former from the latter office.

However, Seeck¹⁰ points out that the *decuriarum rector* was a *spectabilis*¹¹ and consequently of higher rank than the Master of the Census,¹² and, moreover, presided over all the *decuriae*, whereas the Master presided over the *censuales* alone. Therefore the two offices are not

¹ *Harvard Studies*, XXI, pp. 23-29.

² This had been the Greek term for these Masters since the Principate, *o. c.* pp. 24-25.

³ *O. c.* p. 25.

⁴ *CIL*. 6, 1704, Dessau, 1214, C. Caelio Saturnino, v(iro) c(larissimo), . . . rationali vicario per Gallias, magistro censum, vicario a consillis sacris, magistro studiorum, magistro libellorum, etc.

⁵ Seeck, *Pauly-Wissowa*, 3, p. 1911.

⁶ *Staatsrecht*, 3, pp. 1019-1020, cf. 2, pp. 901, 927.

⁷ *Variae*, 5, 22.

⁸ *L. c.*, senatus scrinia conscientiae puritate servaret.

⁹ *Staatsrecht*, 1, p. 370, n. 3.

¹⁰ *O. c.*, l. c.

¹¹ Cass. *Var. l. c.*

¹² See below.

identical.¹ Further, Mommsen² admits that we know nothing of an *officium* of the *ab actis senatus* previous to the time of Diocletian, whereas, as we shall see, there existed previously an office under the *a censibus*, from which it is more likely that the Master of the Census and his bureau developed. Again, Karlowa³ thinks that the functions of this Master were too extensive to have arisen out of those of the *ab actis*.

Seeck⁴ has advanced the theory that the Master of the Census was a creation of Constantine I, of the time when the latter fixed the senatorial land tax (*collatio glebalis*), i. e., immediately after the defeat of Maxentius (312-313 A.D.). He evidently regards the Saturninus of *CIL*. 6, 1704 as the first holder of this office. The reason for the establishment of this new office was, in his opinion, to provide for the valuation of the property of those from time to time admitted to the ranks of the senators.

More satisfactory, however, is the view of Hirschfeld⁵ which traces the Master of the Census back to the official of the pre-Diocletian period known as the *a censibus*, who in the third century appears as the *magister a censibus*.⁶ There can hardly be any doubt that this is the correct view.⁷

How, then, can one show the connection between the *a censibus* and the Master of the Census? This follows from both the functions and the titles of the two offices. Mommsen⁸ is to all appearances correct in describing as *a censibus* the official who, according to Herodian,⁹ Elagabalus appointed to supervise the education and the rating of the youths destined to enter the equestrian or the senatorial order, i. e., the sons of the office-holding aristocracy. Further, as Hirschfeld¹⁰ points out, when he shows that Seeck¹¹ is in error in considering the *a censibus*

¹ Seeck, *l. c.*

² *Staatsrecht*, 3, pp. 1019-1020.

³ *Rechtsges*, 1, pp. 866-867.

⁷ It is accepted by Karlowa, *R. R.* 1, pp. 886-867, and by Kalopathakates on *census* in *De Ruggiero*, 2, p. 175.

⁸ *Staatsrecht*, 3, p. 490, n. 1.

⁹ Herodian, 5, 7, 7, πάλιν δὲ ἕτερον ὁμοίως τῆς σκηνῆς βαστάσας, παιδείας τῶν νεῶν καὶ εὐκοσμίης τῆς τε ὑποστάσεως τῶν ἐς τὴν συγκλητὸν βουλὴν ἢ τὸ ἵπικόν τάγμα καταταττομένων προέστηεν. These duties explain the title of a *censibus*.

¹⁰ *KVB*. p. 68, n. 1.

⁴ *Pauly-Wissowa*, 3, pp. 1911-1913.

⁵ *KVB*. pp. 64-68.

⁶ *CIL*. 6, 1629 (*m*)*agistro a censibus*.

¹¹ *Pauly-Wissowa*, 3, p. 1911.

a provincial official, the *a censibus* to whom was addressed the decree of Caracalla¹ which provided that those who came to Rome for educational purposes should be excused from civic obligations in their native towns for so long as their legal studies detained them at the capital, refers to an officer resident in Rome, and, therefore, to the one in question. From this rescript it is clear that the *a censibus* exercised supervision over the students in Rome. Thus the functions of the *a censibus*, as far as they are known, warrant the assumption that he conducted the business of the *princeps* in his capacity of *censor*.² Now the rôle of the Master of the Census was similar if somewhat wider. The supervision of the students in Rome was in his hands,³ and likewise the *descriptiones senatoriae*⁴ and the preparation of the tax list of the senators.⁵

Now, considering the titles, we find that in the course of the third century, when the *a libellis* assumed the title *magister a libellis*, the *a censibus* likewise became *magister a censibus*.⁶ Since the *magister a libellis* became the *magister libellorum*, it is but natural that the *magister a censibus* should later appear as the *magister censuum*. And this is the title appearing in the inscription of Saturninus.⁷

Since we have then an official under Constantine whose title and duties correspond to those of an official of the Principate, it seems absurd to conclude that the former was an entirely new appointment. What probably took place was a reorganization of the office with the addition of new subordinates to undertake the added duties in connection with the senatorial land tax.

Constantine, when he organized his new capital on the Bosphorus, established there a similar bureau in imitation of the one at Rome. Lydus⁸ records that this Emperor appointed a Master of the Census as controller of records, and gave him *censuales* as assistants.

¹ Vatican Fragment, 204, *proinde qui studiorum causa Romae sunt, praecipue civilium, debent [excusari, quamdiu i]uris causa Romae agunt studii cura distracti et ita [imperator] Antoninus Aug(ustus) Cereali, a censibus, et aliis rescripsit.*

² So Hirschfeld, *KVB*. p. 67.

³ *C. Th.* 14, 9, 1.

⁴ *Id.* 6, 2, 21, 23; 1, 26, 12, etc.

⁵ *Id.* 12, 74, par. 1; Symmachus, *Reliquae*, 46, 2.

⁶ *CIL.* 6, 1928, *magistro a libellis, (m)agistro a censibus.* ⁷ *CIL.* 6, 1704.

⁸ Lydus, *de magistratibus*, 2, 30, τὸν δὲ μάγιστρον τοῦ κήσους ἐπιφημίσας οἰονεῖ ἀρχόντα τῶν ἀρχερέτων συμβολαίων ὅτι κήσουν μὲν τὴν ἀπογραφὴν τῶν ἀρχαίων, ῥέγυστα δὲ λέγουσι. καὶ . . . κησουλῆς δὲ τούτῳ (ἀντὶ τοῦ ἀρχαιοφύλακας) ὑπηρετεῖσθαι διώρισε.

The Master of the Census, accordingly, appears both in Rome¹ and in Constantinople as the head of the clerks called *censuales*, who formed one of the *decuriae*.² The Master himself was under the orders of the Urban Prefect, to whose officium the *censuales* belonged.³

In the third century the *magister a censibus* had ranked below the *magister a libellis*.⁴ But Saturninus, the first recorded occupant of the office of Master of the Census, was promoted to this post from that of *vicarius a sacris consiliis* and later became Vicar of the *rationalis* for Gaul.⁵ As he had in the earlier part of his career filled the positions of *magister studiorum* and *magister libellorum*, it is evident that the office of Master of the Census had gained greatly in importance through its reorganization by Constantine. It is not certain when this Master was given the rank of *clarissimus* although it was probably in the course of the fourth century for in the *Notitia* he preceeds the *consularis aquarum*, who enjoyed that rank.⁶ At the close of the fifth⁷ and also in the sixth century,⁸ under Justinian, he was still a *clarissimus*, although the Masters of the Scrinia had become *spectabiles* previous to 438.⁹

The duties of the Master of the Census were the following.

(a) He had to act as the head of a court of record for the registry of contracts for alienation entered into, at the capital, by the guardians of orphans (*orphanotrophi*) and affecting the property of their wards;¹⁰ for the publication of the declarations of bankruptcy, which were removed entirely by Justinus¹¹ from the jurisdiction of the ordinary tribunals and the *defensores ecclesiarum*; for the publication, in specified cases, of the declarations, made at the capital, whereby a property-holder admitted a new *emphyteuta* in place of one who had sold his

¹ *C. Th.* 14, 9, 1.

² *Id.* 14, 1, 1.

³ *N. D. occ.* p. 4. The corresponding portion of *N. D. or.* has not been preserved, but it may be assumed that the arrangement in the East was the same as in the West.

⁴ *CIL.* 6, 1628, quoted above.

⁵ *CIL.* 6, 1704, see above.

⁶ *N. D. occ.* p. 144; Seeck, *Pauly-Wissowa*, 3, p. 1912. The *perfectissimus* used one of these Masters in *C. J.* 1, 3, 31, 472 A.D. is certainly a personal, not an official, title, Hirschfeld, *Kleine Schriften*, p. 662.

⁷ *C. J.* 8, 53, 32, 496 A.D.

⁸ *Id.* 4, 66 par. 3, 531 A.D.

⁹ *Th. Nov.* 1, 7.

¹⁰ *C. J.* 1, 3, 31, 472 A.D.

¹¹ *Id.* 1, 3, 40, 524 A.D.

rights to the newcomer (*inclinatio*);¹ and for the publication or deposition of recorded gifts made in the city, wherever the objects donated might be situated.²

Regarding all these documents the constitution came into force which provided that wills and other documents, which were accustomed to be published in the office of the *censuales*, were to be preserved there and no copy thereof was to be made.³

(b) As the chief of the *censuales* the Master had to direct the work entrusted to them in connection with the senate.

One of their duties was the preparation of the senatorial tax lists (*breves glebae senatoriae, senatoria et glebalis descriptio*).⁴ These lists were prepared quarterly for the Urban Prefect, who transmitted them to the emperor.⁵

At one time the *censuales* had the duty of collecting the *collatio glebalis*,⁶ and the *aurum oblativum*,⁷ even from the senators living in the provinces. But as these were burdensome tasks (*onerosa*) and as the *censuales* were unable to perform them properly (*executioni sufficere*), they were relieved of them in 397 A.D.⁸ However, since in their records they had full information regarding the resources of each senator, the amounts to be collected were left for their decision.⁹ And, in 541 A.D., the *censuales* were still regarded as among the exactors of the public revenues (*publica tributa exigentes*), for which reason they were refused the right of sanctuary when charged with fiscal extortion.¹⁰

Because of their knowledge of the resources of the individual senators, the *censuales* had the duty of nominating the pretors. In 361

¹ C. J. 4, 66, 3, par. 3, 530 A.D.

² Id. 8, 53, 30, 459 A.D., confirmed by id. 32, 496 A.D., *conscriptae donationes ubicunque positarum rerum*.

³ C. Th. 4, 4, 4, 397 A.D. = C. J. 6, 33, 18. For this side of the duties of the *censuales* cf. the account of Lydus, *de mag.* 2, 30, *κηρσυναλῆς δὲ τοῦτω* (Master of the Census), *ἀντὶ τοῦ ἀρχαιοφύλακας, ὑπηρετέισθαι διώρισε*, and J. Nov. 128, 13.

⁴ Symm. Rel. 46, 2; id. Ep. 10, 67; cf. C. Th. 12, 1, 74, par. 1; 13, 3, 15-16.

⁵ Symm. Ep. 10, 67.

⁶ C. Th. 6, 2, 17, 397 A.D.

⁷ Id. 6, 2, 16, 395 A.D.; 6, 2, 20, 397.

⁸ Ll. cc.

⁹ Id. Seeck thinks that the *quaestores glebae senatoriae*, who appear after 400, were sent out by this office to collect the land tax, Pauly-Wissowa, 3, 1912.

¹⁰ Just. Nov. 128, 13.

they were deprived of this privilege,¹ which, however, was restored to them again in 393.² In Rome, if the pretors were absent from the city, the *censuales* celebrated the games incumbent on the holders of that office and collected the costs thereof from the absentees.³

A record of all judicial cases discussed in the senate, with an account of the charges and the names of the persons concerned, was preserved by the *censuales*.⁴

(c) It was likewise the duty of this office to see that the dress prescribed for the various official classes was not worn by persons not entitled to do so. For disregard of the regulations in this matter, or connivance thereat, a fine of twenty pounds of gold was inflicted.⁵

(d) Further, it seems that at the receptions and official assemblages over which the *praefectus urbanus* presided the *censuales*, who were in the bureau of that official, regulated the order of precedence.⁶

(e) Finally, the Master of the Census had the oversight of the youth of the provinces studying in Rome. All students coming to that city (*quicumque ad urbem discendi cupiditate veniunt*) had, first of all, to present to him certificates from the provincial governors, naming their residence, and their date of birth, and certifying to their previous good conduct. Then they were to inform him as to their proposed studies. Their places of residence in the city were to be known to his office and the *censuales* were to see that they conducted themselves in a fitting manner. If they did not do so, they might be publicly flogged and sent home to the provinces.⁷ This part of the Master's duties was a development from the supervision exercised by the *a censibus* of the Principate over the sons of members of the senatorial and equestrian orders.⁸

3. *Magister Studiorum* — Master of the Records.

The *magister studiorum* — Master of the Records — was the successor of the official called *a studiis*, who appears in company with the *a libellis* and the *ab epistulis* under Claudius.⁹

¹ *C. Th.* 6, 4, 13.

² *Id.* 26.

³ *Symm. Ep.* 4, 8, 3; *Rel.* 23, 2; *C. Th.* 6, 4, 27.

⁴ *C. Th.* 6, 28, 5 = *C. J.* 12, 22, 2.

⁵ *C. Th.* 14, 10, 1.

⁶ *C. Th.* 6, 28, 8, 435 A.D.

⁷ *Id.* 14, 9, 1, 370 A.D.

⁸ See above.

⁹ *Suet. Claud.* 28; *Seneca, ad Polybium*, 5, 2; 6, 4; *Hirschfeld, KVB.* p. 332.

In the latter part of the second and first part of the third century this title had the form *procurator a studiis*.¹ Somewhat later appears the form *magister a studiis*, which is attested by three inscriptions.²

Finally, early in the fourth century, this official had the title of *magister studiorum*,³ but there is no trace of the title beyond that date.

The *magister a studiis* had the rank of *perfectissimus*,⁴ and, apparently a salary of 200,000 sesterces. At least Vibius Fortunatus advanced from *magister a studiis* to be *procurator ducenarius stationis hereditatium*,⁵ and while this is not of itself conclusive evidence the office appears too high for a *centenarius*.⁶ Saturninus as *magister studiorum* ranked above the Master of the Petitions and was therefore a *trecenarius*.⁷

The functions of the Master of the Records are obscure. Cuq⁸ thinks that the duty of this officer was to investigate the records and to advise the emperor accordingly, not only on legal questions but also in matters relative to practices of cult and the interpretation of prodigies and omens. This view he bases on *CIG.* 5900, which records that M. Junius Vestinius, ex-High Priest of Alexandria and Egypt, ex-administrator of the museum at Alexandria and of the libraries at Rome, was appointed to the office of *a studiis*. And in support thereof he refers to a passage in Aulus Gellius,⁹ who mentions that Hadrian rendered a judicial decision after an examination of the opinion of the ancient philosophers and doctors. The *a studiis*, he thinks, had to search out these opinions.

¹ *CIL.* 8, 11, 340; 13, 1779; Hirschfeld, *KVB.* p. 333.

² *CIL.* 6, 1608, *Iuliano, p(erfectissimo) v(iro), (magi)stro a studi(i)s Aug(usti);* 8683, *(mag)is(t)ro a studi(i)s;* 10, 4721, *magistro a studiis.*

³ *CIL.* 6, 1704, *C. Caelio Saturnino, . . . vicario a consiliis sacris, magistro studiorum, magistro libellorum,* etc. For the date cf. the preceding section.

⁴ *CIL.* 6, 1608, above. From this one may conclude that all Masters at that time in the imperial offices were *perfectissimi*.

⁵ *CIL.* 10, 4721.

⁶ Hirschfeld, p. 334, n. 2.

⁷ Cf. the Master of the Petitions.

⁸ *Le concilium principis d'Auguste à Diocletian*, pp. 371-375.

⁹ *Noctes Atticae*, 3, 16 *Divum Hadrianum, causa cognita decrevisse in undecimo quoque mense partum edi posse idque ipsum eius rei decretum nos legimus. In eo decreto Hadrianus id statum se dicit . . . requisitis veterum philosophorum et medicorum sententiis.*

The connection of this office with questions of religion explains, in the opinion of Cuq, the appointment of Fortunatus, who was an *haruspex*, as *magister a studiis*.¹ In this connection he refers to an epigram of Martial,² addressed to Sextus, who was apparently at that time chief librarian of the Palatine and *a studiis*.

Hirschfeld³ and Friedländer⁴ agree with this view regarding the character of the office of the Master of the Records, although the latter ascribes to this official a slightly wider range of activity. Mommsen⁵ thought that the emperor's private libraries were under his direction, but Hirschfeld⁶ shows that this is unlikely.

Among the assistants of the *magister a studiis* we know of a *proximus a studiis*,⁷ and, when the title of the chief had become *magister studiorum* he had a *sexagenarius studiorum adiutor*.⁸

The disappearance of the Master of the Records and his office is to be accounted for, I believe, by the growth of the *scrinium memoriae*, which, with its *antiquarii*, obviated the necessity of having a special bureau to search out precedents for the emperor's guidance. Also, the acceptance of Christianity as a religion of state did away with the need of advice in dealing with prodigies and omens.⁹

(C) *Magister Admissionum* — Master of the Audiences

During the later Roman Empire the control of all the ceremonies and receptions at the court was in the hands of the Master of the Offices (*magister officiorum*),¹⁰ who had under his orders, to assist him in executing this part of his duties, a corps of ushers called *admissionales*.¹¹

¹ *CIL.* 10, 4721.

² *Ep.* 5, 5, *Sexte, Palatinae cultor facunde Minervae
Ingenio fruieris qui propiore dei;
Nam tibi nascentes domini cognoscere curas
Et secreta ducis pectora nosse licet.*

³ *KVB.* pp. 332-333.

⁴ *L. c.*

⁵ In Harnack, *Texte u. Untersuchungen*, 1903, 9, p. 3.

⁶ *KVB.* p. 304, n. 5.

⁷ *CIL.* 6, 8637.

⁸ *CIL.* 3, 1104.

⁹ It may be noted here that *C. Th.* 12, 1, 26, 338 A.D. has *magistri studiorum* for *magistri scriniorum*, and that in *C. Th.* 13, 3, 5, 362 the *magistros studiorum doctoresque* are of a different character from the official in question, Hirschfeld, *KVB.* p. 334, n. 1.

¹⁰ *Cass. Var.* 6, 6.

¹¹ *N. D. occ.* p. 144; *officium admissionum id. or.* p. 31.

These *admissionales* appear in the reign of Constantine I in the place of the officials of the *ab admissione* of the Principate.¹ They had as their chief the *magister admissionum* — the Master of the Audiences, — whose position will now be considered.

The date of the appearance of the title Master of the Audiences is uncertain. Its employment in the *Historia Augusta* with reference to the reigns of Alexander Severus² and Valerian³ is, according to Seeck,⁴ a transference of the fifth century usage to an earlier epoch, while Hirschfeld⁵ is inclined to accept these passages as giving the form in use in the third century. Ammianus Marcellinus⁶ refers to such a Master in 355, and another notice of the title occurs in a constitution of 414.⁷ However the title does not appear in the *Notitia Dignitatum*. Of more importance than these notices for the history of this title is an inscription from Sublaqueum in Latium, which reads as follows, — *D.M. M(arco) Aurelio, Aug(usti) lib(erto), Antiochiano, magistro ab atmissione. Antiocharius et Antiochis fili, eredes, patri optimo.*⁸ The form *magister ab atmissione* at once recalls the *magister a libellis* and the *magister a censibus* of the late third century.⁹ It seems then that the title *magister ab admissione* was in use at this period having superseded the earlier form *ab admissione*. We may further assume that, as was the case with the titles of the chiefs of the *scrinia*, another change was effected in this title by Diocletian, under whom this Master was called the *magister admissionum* and his subordinates were designated *admissionales*.

The fact that this Master was a freedman in the third century,¹⁰ at a time when the other Masters in the imperial service were equestrians, is to be attributed to the humble nature of his office.

¹ Friedländer, *Sittenges.* 1, pp. 134 ff.; Karlowa, *R. R.* 1, p. 832; Schmidt, *Pauly-Wissowa*, 1, pp. 381–382; Seeck, *id.* p. 393.

² *Vita Alex.* 4, 3.

³ *Vita Aurel.* 12, 4, *Aeboli, qui magister admissione Valeriani principis fuit.*

⁴ *Pauly-Wissowa*, 1, p. 382.

⁵ *KVB.* p. 310, n. 2.

⁶ 15, 5, 18, *per admissionum magistrum, qui mos est honoratior, accito.*

⁷ *C. Th.* 6, 2, 18 (33).

⁸ *CIL.* 14, 3457. The inscription is undated but must refer to one of the third century emperors.

⁹ *CIL.* 6, 1268, see above.

¹⁰ Cf. *CIL.* 14, 3457.

These *admissionales* were allowed to enter the court service only by virtue of imperial warrants (*probatorias*), which were preserved in the bureau of Petitions.¹ They were no longer *liberti*, like the earlier subordinates of the *ab admissione*, but freemen, and could, by passing through all the inferior grades of their service (*tota impleta militia*), attain the rank of Master of the Audiences.² The mastership conferred the perfectissimate upon its holder.³

The Master in his turn could be made a senator with the rank of *vicarius* (*vicaria dignitas*), but then was excused from the senatorial land tax (*collatio glebalis*), and also from the payment of the seven *solidi*, which even the senators of lowest rank were expected to contribute.⁴ He was also exempted from the furnishing of recruits and horses.⁵

It is evident that the Master of the Audiences was not a very important official, nor does he appear to have had any administrative or executive functions. He was merely the court usher of the longest service, who for this reason was set over his fellows, and his duties consisted mainly in regulating the order of precedence at the imperial audiences.⁶

In the Byzantine Empire the Count of the Audiences takes the place of the Master.⁷

RECAPITULATION

From what has been said concerning the several Masters one may make the following general sketch of the employment of this title among the civil officials of the Empire.

In this sphere the title of Master makes its appearance towards the end of the first century. It was then used as the title of certain officials employed in connection with the collection of the revenue, which at that time was being removed from the hands of private contractors

¹ C. J. 12, 59, 10, par. 5.

² *Ad magistrum pervenerit*, C. Th. 6, 2, 18, 23, 414 A.D.

³ *A primis quibusque gradibus usque ad perfectissimatus ordinem*, C. Th. 6, 35, 7.

⁴ *Immunis a septem quoque solidorum praestatione, quae tenuissimos senatores adsolet obligare*, C. Th. 6, 2, 18.

⁵ *Id.* 11, 18, 1.

⁶ Perhaps this is the explanation of his omission from the *Notitia*.

⁷ Constantine Porphyrogenitus, *Liber Ceremonialis*, 1, 81, 84, κόμης ἀδμισίωνων.

and placed under imperial control. Other officials engaged in the same service had at this time the title of Deputy Master (*promagister*). It seems clear that these titles were adopted for the imperial offices from the *societates publicanorum*, at the same time that the government assumed the responsibility for the raising of taxes. By the end of the second century these Masters and Deputy Masters had disappeared, probably owing to a reorganization of the procuratorial system.

In the third century we meet with another group of Masters. The title was then used of the officials in charge of the various departments (*curae, officia, scrinia*) of the imperial administration centered at the capital. These Masters were not new officers, but were the heads of administrative departments previously known as *ab admissione, a censibus, ab epistulis, a libellis, a memoria, and a studiis*. All these officials, with the exception of the *a cognitionibus* and the *a studiis*, seem at first to have added the word *magister* to their previous titles, so that we find the forms *magister ab admissione, magister a censibus* and *magister a libellis*. The *a studiis* became first *procurator a studiis* and then *magister a studiis*. The *a cognitionibus*, however, appears next as *procurator sacrarum cognitionum*, while the form *magister a cognitionibus* is not known. When these changes took place cannot definitely be determined. It was after 239 A.D. at the earliest, for at that date the title *ab epistulis* was still in use.¹

The references to these Masters, under the titles of *magistri officiorum* or *magistri scriniorum* in the *Historia Augusta*,² in the lives of Alexander Severus and his predecessors, cannot be regarded as proof that they were called Masters previous to 239. Whether we accept the hypothesis of Dessau³ and Seeck⁴ that this work is a forgery of the time of Valentinian and Theodosius, or the view of Mommsen⁵ and others⁶ that it was compiled in the age of Diocletian and Constantine, the anachronisms in the use of the title *magister* are so numerous that

¹ CIL. 6, 1088, *Numisius Quintianus, v(ir) p(erfectissimus), ab epistulis latinis*.

² *Magistri officiorum*, Pesc. Nig. 12; Alex. 32; cf. Gall. 17; *magistri scriniorum*, Ver. 4; Alex. 26.

³ *Hermes*, XXIV, p. 337.

⁴ *Rheinisches Museum*, XLIX, p. 208.

⁵ *Hermes*, XXV, p. 228.

⁶ Cf. Schanz, *Römische Literatur*, 4, p. 55.

no reference to a Master can be accepted without the support of inscriptional evidence.¹ But since the form *magister a* with the ablative appears in numerous inscriptions of the third century, we may assume that the Masters recorded in the *Historia* for the period 250–284 A.D. were *magistri a memoria*, etc.

Probably under Diocletian, before 297, these titles underwent a further change. The preposition *a* (*ab*) was dropped and the following ablative became a genitive, so that from this time the forms *magister epistularum*, *magister studiorum*, and the like were in use. About the same time the *procurator sacrarum cognitionum* became *magister sacrarum cognitionum*, and the title of Master was bestowed upon the chief of the newly formed *scrinium dispositionum*.

It is, perhaps, impossible to say why the title of Master was chosen for these bureau chiefs. One might think that the Masters of the priestly colleges, in which there was only one such official regularly acting as the head of the college, furnished the model. But it was probably the general adaptability of the title, as indicating the one who assumed the direction or leadership in any field, that determined its adoption here.

Meanwhile, the title of Master had made its reappearance in the financial administration. In the course of the third century the director of the *res privata* became *magister (sacrae) privatae* and the assistant of the chief of the *fiscus* was called *magister summarum rationum*. Both these titles disappeared before the close of the reign of Constantine I, and, from then until towards 350, the supervisors of the *ratio privata* in the provinces enjoyed the title of *magistri (rei) privatae*. In this branch of the administration the title of Master was probably used in imitation of the practice in vogue in the secretarial departments.

Under Constantine the Great appeared the title of Master of the Offices,² applied to an official destined to survive all his colleagues with a similar designation, who appears in the Byzantine Empire as (ὁ) μάγιστρος.³ In the course of the fourth century there were appointed, in the Eastern Empire, the minor officers known as *magistri lineae*

¹ A glaring example of the misuse of this title is found in *Vita. Had.* 11, where *magister epistularum* appears for *ab epistulis*.

² Cf. Mommsen, *Gesammelte Schriften*, 3, p. 26; Seeck, *Untergang d. antiken Welt*, 2, ch. 2; *Pauly-Wissowa*, 7, pp. 631 f.

³ Cf. Theophanes cont. *Chronographia*, passim.

vestis and *magistri privatae*, while at the same time, in both East and West the Master of the Sacred Inquests disappeared with the merging of his bureau with that of the Master of the Petitions. Contemporary is the abolition of the office and mastership of the Records (*magister studiorum*). It is possible that when the administration of the *domus divina* was separated from that of the *res privata* towards the end of the fourth century the Masters, who in the sixth century directed the administration of the Cappadocian estates, received this title.

The Masters of the *Scrinia* were abolished in the West upon the establishment of the Gothic Kingdom in Italy, and, in the East, after the reign of Justinian, they were known by their Greek titles only.

From that time there remained only the Master of the Offices, whose office, between the sixth and ninth centuries developed into an order of merit of the Byzantine Empire,¹ which, in this guise, preserved the title of Master as late as the beginning of the twelfth century at least.²

It is to be noted that these Masters in the civil service, with the exception of the *magister summarum rationum* and the *magistri lineae vestis* and *privatae*, always stood at the head of their office or, at least, of a department thereof, thus occupying a position in accord with the implicit meaning of a title denoting one, *qui magis ceteris potest*.³

II. MASTERS WHO WERE MILITARY OFFICERS OF THE ROMAN EMPIRE

1. Of the Principate.

During the Principate the title of Master was borne by several subordinate military officers. Regarding their precise duties we have little information, for the references to each of them are limited to single inscriptions. Nor are we informed regarding the creation or abolition of the posts which they filled. The Masters revealed to us by these scanty notices are now to be considered.

(a) *Magister Ballistarum* — Master of the *Ballistae*.

This Master is mentioned in an inscription from the Ager Novariensis and the holder of the title was P. Aelius Optatus, a soldier of the

¹ Bury, *Imperial Administration in the Ninth Century*, p. 16.

² Anna Comnena, *Alexiadas*, p. 95, 11 (Bonn).

³ Pollux, 6, 83.

twentieth legion.¹ He was probably the commander of the corps of *ballistarii*, who, in the second century, were attached to each legion for the special service of the machines (*ballistae*) for casting stones and other missiles, which in the Roman army, took the place of the modern artillery.²

(b) *Magister Cohortis* — Master of the Cohort.

A Master of the Cohort appears in an inscription from Intercisa.³ According to Domaszewski⁴ he was an extraordinary officer, the instructor of the mounted archers (*equites sagitarii*) of a particular cohort, and corresponded to the Riding Master of the cavalry attached to the legions (*equites legionis*).

(c) *Magister Equitum* — Master of the Horse.

From Aquileia comes notice of a certain Julius, a supernumerary centurion of the eleventh legion, who entered in the mounted corps and was promoted to be Master of the Horse.⁵ As Master of the Horse he was probably the commander of the *equites legionis*, who numbered 726 men.⁶

(d) *Magister Kampi* — Riding Master.

In a dedication made by the cavalry of the third legion to Severus Alexander at Lambaesis appears the name A. Geminius Extrucatus, followed by the title *mag. k.*, which is usually completed as *m(agister k(ampi))*.⁷ The duties of this officer have been explained as those of a riding master.⁸

(e) *Magister Numeri* — Master of the Troop.

Similar in character, perhaps, to the position of the preceding Master was that of Salustius Martialis, the Master of a detachment

¹ CIL. 5, 6632, *P. Aelius Optatus, miles in leg(ione) XX, magister ballis[t]a[r]ius*.

² Seeck, *Pauly-Wissowa*, 2, p. 2831.

³ CIL. 3, 10, 307, *Barsemis Abbei, decu[rio] ala[e] prima[e] katafractaria[e], ex numero Hosroenorum, mag(ister) coh(ortis) (miliareae) Hermes[cuorum]*.

⁴ *Bonner Jahrbücher*. CXVII, p. 59.

⁵ CIL. 5, 8278, *Iulius, centurio supernumerarius leg(ionis) XI Claudia, . . . postea profecit discens equitum ordine, factus magister equitum. . . .*

⁶ Domaszewski, *o. c.* pp. 48 f.

⁷ CIL. 8, 2562, cf. *Neue Heidelberger Jahrbücher*, IX, p. 150.

⁸ Domaszewski, *l. c.*

(*numerus*) of the Moorish *Barcarii*.¹ He was a member of an auxiliary squadron (*eques alae*), and very likely served as a drill instructor for this *numerus*.²

2. In the Later Roman Empire.

After the reorganization of the state and the army by Diocletian and Constantine there is no further trace of these military Masters of the Principate, although they possibly continued to exercise their functions as before. One more subaltern officer with this title appears in a couple of inscriptions, but the chief military Masters of this later period were the *magistri militum* — Masters of the Soldiers — who, from the time of the creation of their office, were the commanders-in-chief of the army, and, in the history of the Empire, played a part far more important than any of the Masters in the civil service.

We shall first consider the references to the above-mentioned subaltern Master, the *magister castri*, and then attempt a discussion of the Masters of the Soldiers.

(a) *Magister Castri* — Master of the Fort.

An inscription of the fifth century from Isaurium in Britain records, if the reading proposed in the *Corpus* is correct, a certain Vindicianus, who built a fort under the direction of a *praepositus militum*.³ Also a tablet commemorating the building of a fort (*castrum*) at Ain Ksar in Numidia, between 578 and 582, concludes with the words *Focas magister fecit*.⁴

It seems that the two Masters referred to in these inscriptions were *magistri castri*, officers subordinate to the *praepositus castri*, the commandant of a fortified encampment,⁵ and perhaps in charge of the technical construction of fortifications.

(b) *Magistri Militum* — Masters of the Soldiers.

The office of Master of the Soldiers (*magisterium militum*) was a creation of Constantine I. Both Lydus⁶ and Zosimus,⁷ our authorities,

¹ *CIL*. 8, 21, 568 *magister Barcarioru(m)*.

² Domaszewski, p. 61.

³ *CIL*. 7, 268, *Iustinianus p[rae] p[ositus]*, *Vindicianus m[agister] a[r]biteriu pr[ae]positi m[ilitum] castrum fecit*, etc.

⁴ *CIL*. 8, 4354.

⁵ *Praepositus*, here used in the general sense of commander of a detachment, cf. *Digest*, 49, 16, 3 and 6.

⁶ *Lyd. de mag.* 2, 10; 3, 40.

⁷ *Zos. Historia*, 2, 33.

are agreed upon this, but neither of them gives any precise information about the date at which this creation took place. However, both authors are again in accord in connecting it with the separation of the Prefects from the imperial court and their appointment to specific districts. This latter change seems to have taken place in 318, following the elevation of the young sons of Constantine to the rank of Caesars.¹

Seeck² presents a reasonable hypothesis in supposing that the appointment of these new Masters took the form of a definite and permanent assignment of a sphere of action to two *comites*. He finds, namely, that at this time two groups of *comites*, military and civil, appear, each having a sharply defined position. The *comites* of the military group were the *comes et magister equitum*, *comes et magister peditum*, *comes domesticorum equitum*, and *comes domesticorum peditum*. By 325, Seeck believes, these positions were definitely established, and, then, shortly after 318 would seem to be the most reasonable date to assign for the establishment of the *magisterium* in question.

However, the earliest definite reference to a Master of the Soldiers occurs in a constitution of 347.³ Ammianus records the office for 353,⁴ and the first inscriptional evidence for the presence of these Masters dates from 365-367.⁵

Our sources are clear in motivating the creation of this new military office as an attempt to reduce the power of the Pretorian Prefect, similar to the allotment of part of his functions to the Master of the Offices, which Lydus describes in the same connection.⁶ It was the completion of the scheme for the separation of the civil and the military power introduced by Diocletian. The latter, in his anxiety to prevent the possibility of rivals for the throne appearing in the provinces, had severed the control of the provincial troops from the civil authority, giving the former to the *duces* and leaving the latter with the *praesides*. But he had left the Pretorian Prefect the supreme military as well as civil power. Constantine now deprived this pre-

¹ Seeck, *Rh. Mus.* XLIX, p. 210; *Pauly-Wissowa*, 4, 632. ² *Ll. cc.*

³ *C. Th.* 5, 4, 1, *Bonosus, magister equitum*. *Id.* 11, 1, 1, falls under Constantius, Mommsen, *Hermes*, XXXVI, p. 533.

⁴ 14, 9, 3, a *magister equitum*; 15, 5, 1, 355 A.D., *Silvanus pedestris militiae rector*.

⁵ *CIL.* 3, 10, 596, *Equitio, mag(ister) equitum peditumque*.

⁶ *De mag.* 2, 10; 3, 40.

fecture of military authority and appointed two new officers, the Masters, as commanders-in-chief of the army, subject, of course, to the emperor.¹ Under the régime of Diocletian this separation had perhaps seemed unnecessary, because the Prefects were directly under the eyes of the *Augusti* and Caesars, who were grown men. But, under Constantine, the Caesars were still children when set over the various parts of the empire, and there was reason to fear the ambition of some Pretorian Prefect who directed the government for any one of the young princes. Accordingly Constantine was led to deprive the office of Prefect of its military command. And not only that, but he also went so far as to divide the military command itself, appointing one general for the cavalry and another for the infantry.² This was in a large measure due to the change in military organization and tactics, whereby the cavalry assumed a much more important position than formerly.³

The title Master had not been employed to designate a superior military commander since 44 B.C., when the dictatorship, and consequently the republican mastership of the horse, was abolished.⁴ But, although as a civil and religious title it was in common use in the fourth century, and had even been employed in the preceding century for subaltern military officers, it seems that the early Roman Master of the Horse (*magister equitum*) served as a model, at least as far as the name was concerned, for the new office. This title, being that of a well-known historical office of which the function, at least originally, had been the command of the Roman horse,⁵ could well be adopted for the new cavalry commander, while it was easy to invent a parallel form, Master of the Foot (*magister peditum*), to designate the commander of the infantry. The Greek equivalent for Master of the

¹ Karlowa, *R. R.* 1, p. 849; Mommsen, *Hermes*, XXXVI, p. 533; Seeck, *Geschichte d. Untergangs d. antiken Welt*, 2, p. 83.

² Zos. 2, 33, τὸν μὲν τῆς ἵππου τὸν δὲ τῶν πεζῶν; cf. Mommsen, *l. c.*; Seeck, *l. c.*

³ H. S. Jones, *The Roman Empire*, p. 309, on Cedrenus, p. 309 (Bonn), sees a forerunner of the *magister equitum* in a special commander of the cavalry under Gallienus. However, Cedrenus only records that Gallienus substituted in part cavalry for infantry in the Roman army, πρῶτος ἱππικὰ τάγματα κατέστησε· πεζοὶ γὰρ κατὰ τὸ πολὺ οἱ στρατιῶται τῶν Ῥωμαίων ὑπῆρχον.

⁴ Appian. *Bellum Civile*, 3, 25, 94.

⁵ Mommsen, *St. R.* 2, p. 173.

Soldiers was *στρατηλάτης*,¹ rarely *μαγίστρος*,² which was reserved for the Master of the Offices, but perhaps even commoner in literary as well as official usage was the simpler form *στρατηγός*.³ The Latin forms *magister armorum* and *rector militiae*, as also *magister rei castrensis*, are found in Ammianus,⁴ but do not appear in official documents. The change of the title *magister equitum* or *peditum* to *magister militum* will be considered in connection with the history of the office.

At first there were only two Masters — the Master of the Horse and the Master of the Foot — functioning for the whole empire⁵ then in the hands of a single ruler. It is not certain if, at the death of Constantine I, in 337, his successors appointed two such Masters for the territory of each, but that was probably the case. However, when as early as 349 the addresses of the Theodosian Code begin to show the titles *magister equitum et peditum*,⁶ and *magister militum*,⁷ this does not indicate that new offices had been created but only that the character of the old ones had begun to change. But, in 363, a *magister equitum per Gallias* appears as a new and permanent appointment.⁸ Two years later, in 365, a similar appointment was made for Illyricum.⁹ In that year there seem to have been three Masters under Valentinian in the West, namely, Jovinus, Master of the Horse for Gaul;¹⁰ Dagalaifus, Master of the Horse;¹¹ and Severus, Master of the Foot.¹² At the same

¹ E. g. in Zos. 2, 33; *J. Nov.* 145, 155; *Chronicon Paschale*, pp. 601, 603 (Bonn); Socrates, *Historia Ecclesiastica*, 6, 6; cf. DuCange, *Glossarium mediae et infimae Graecitatis*. In Theophanes, *passim*, *στρατηλαρία* = *magisterium militum*. Zos. 4, 27 uses τοὺς τῶν στρατιωτικῶν ἡγουμένους.

² *CIL.* 8, 259.

³ *Lyd. de mag.* 2, 10; 3, 40; *CIL.* 8, 4677, etc.

⁴ *Magister armorum*, 15, 5; 16, 7, 3; 20, 1, 2, etc.; *rei castrensis*, 27, 10, 6; *rector pedestris militiae*, 15, 4, 2; 18, 3, 1; *equorum copias qui tuebatur*, 28, 3, 9; cf. Mommsen, *Hermes*, XXXVI, p. 532.

⁵ Zos. 2, 33; 4, 27.

⁶ *C. Th.* 7, 1, 2, *Silvanus comes et magister equitum et peditum*.

⁷ *Id.* 8, 7, 3, *comes et magister militum*.

⁸ *Jovinus, magister armorum*, *Amm.* 25, 8, 11; 26, 5, 2; but *magister equitum* in *C. Th.* 7, 1, 9; also *mag. eq. et ped.*, *id.* 7, 1, 7; and *mag. mil.* 7, 1, 10.

⁹ *Equitius magister armorum per Illyricum*, *Amm.* 26, 5, 11; 6, 3; *mag(ister) equitum et peditum per Illyricum*, *CIL.* 3, 10, 596, 365–367 A.D.; cf. 3, 3653, *mag(ister) utriusque militiae*, 367 A.D.; 5670a, 370 A.D.

¹⁰ *Amm.* 26, 5, 2; *C. Th.* 8, 1, 10.

¹¹ *Amm.* 26, 1, 6; 5, 2; *C. Th.* 7, 20, 9, 366 A.D.

¹² First mentioned for 367, *Amm.* 27, 6, 3; cf. *C. Th.* 8, 7, 11, 371 A.D.

time in the East there were with Valens the following Masters, Victor, *magister equitum*;¹ Arinthaëus, *magister peditum*;² Lepicinus, *magister equitum*, who had charge of the extreme East;³ and, finally, Equitius, Count of Illyricum (*comes Illyrici*), who in that year was raised to the dignity of Master (*magisteria dignitas*).⁴ Thus, in 365, there were four Masters in the East and three in the West. Apparently no further addition to their numbers was made until the reign of Theodosius I.

Theodosius, says Zosimus,⁵ increased the number of the Masters of the Soldiers, creating more than five in place of the former Master of the Horse and Master of the Foot. It seems that this account does not apply to the western half of the Empire, for the *Notitia Dignitatum* shows that the number of Masters there in 425, was the same as in 365.⁶ In the East there were in 425 five Masters — *magistri equitum et peditum in praesenti duo*, *magister per Orientem*, *magister per Thracias*, and *magister per Illyricum*⁷ — of whom four were already in existence in 365.⁸ Thus the only possible interpretation of Zosimus is to hold that Theodosius made a more thorough organization of the previously existing system, abolished the difference between the Master of the Horse and the Master of the Foot (for all are henceforth *magistri equitum et peditum*), strictly defined the military districts, which perhaps lacked the necessary precision, and increased their number by the addition of the Thracian command. The time of this reorganization falls after

¹ Amm. 26, 5, 2, 365; 27, 5, 2, 367; *mag. mil. C. Th.* 7, 4, 12, 364.

² Amm. 26, 5, 2; 27, 5, 4; 5, 9.

³ *Id.* 26, 5, 2, *partes tuebatur eas*, cf. in 378, *Iulius, magister militum trans Taurum*, *id.* 31, 16, 8.

⁴ *Id.* 26, 5, 2; 5, 11; *C. Th.* 7, 1, 8, 365; *CIL.* 3, 10, 596.

⁵ 4, 27, τοὺς δὲ τῶν στρατιωτικῶν ἡγουμένους πλείονες ἢ πρότερον εἰργάσατο, ἐνὸς γὰρ ὄντος ἑπάρχου, καὶ ἐνὸς ἐπὶ τῶν περὶ τὴν τεταγμένου, πλείους ἢ πέντε ταύτας διένειμε τὰς ἀρχάς.

⁶ *N. D. occ.* p. 103; Mommsen, *Hermes*, XXXVI, p. 538. The position of Gildo, *comes, et mag. utriusque militiae per Africam*, *C. Th.* 9, 7, 9, 393 A.D. was merely temporary and did not reappear until Justinian, cf. Seeck, *Pauly-Wissowa*, 7, p. 1360.

⁷ *N. D. or.* p. 1.

⁸ The *magister militum per Thracias* appears for the first time in *C. Th.* 7, 17, 1, 412 A.D.

386,¹ and Zosimus places it during the presence of Theodosius in Thessalonica 388–389,² so that 388 may be the correct date.³ As has been remarked, this arrangement did not affect the West, where the old system continued, and for which the *Notitia* shows a *magister peditum in praesenti*, a *magister equitum in praesenti* and a *magister equitum per Gallias*.⁴ In the East no further change took place in the number of the Masters until the reign of Justinian (527–565 A.D.) who added two new offices, one the *magister militum per Armeniam*,⁵ and the other the *magister militum per Africam*.⁶ Still later, under the emperor Mauritius, a *magister militum Spaniae* was appointed.⁷ In the West, with the possible exception of a *magister militum Dalmatiae*,⁸ no new mastership was called into being. The development of these offices in this part of the Empire ran a different course than in the East, ending in the concentration of the powers of the two Masters in the Presence (*in praesenti*) in the hands of a single person and the rise of the barbarian *generalissimi* who finally overthrew the Empire of the West.

Having thus taken a general survey of the distribution of these masterships throughout the Empire it is time for us to examine the internal development which took place in the character of the offices. Constantine I. had appointed his two Masters with the idea that the emperor or one of the Caesars should conduct each important campaign in person, entrusting no general with a wide command over both infantry and cavalry.⁹ Thus the field army, composed of the *palatini* and *comitatenses*, would be always under the direct orders of the Augusti and Caesars, assisted by the Masters, for it was over these corps and not over the fortress troops (*limitanei* or *castrenses*) that the Masters were placed. But soon, probably when the number of imperial rulers was reduced to two in 340, it was found impossible for these to take the field upon every occasion, and consequently it became

¹ For then Timasius was a *magister equitum* of the old order, *C. Th.* 4, 17, 5.

² Zos. *l. c.*, cf. Hodgkin, *Italy and her Invaders*, I, 2, pp. 463 ff.

³ Timasius was then *magister equitum et peditum*, Ambrosius, *Ep.* 41; cf. *C. Th.* 7, 13, 39, *Archomes, comes et magister equitum et peditum*, Mommsen, *Hermes*, XXXVI, p. 537. The *πλείστον ἢ πέντε* of Zosimus may possibly be understood, with Mommsen, *o. c.* p. 536, to refer to *codicilarii magistri*, but that does not seem quite satisfactory.

⁴ *N. D. occ.* p. 103.

⁵ *C. J.* I, 29, 5.

⁶ *Id.* I, 27, 2.

⁷ *CIL.* 2, 432, 589–590 A.D.

⁸ *C. J.* 6, 61, 5, 475 A.D.

⁹ Mommsen, *Hermes*, XXXVI, p. 534. Seeck, *Gesch. d. Untergangs*, 2, p. 84.

necessary to intrust the conduct of campaigns to one of the Masters. For such commands it seems that a Master of the Horse was usually selected.¹ From the first the Master of the Foot appears to have had the superior rank which he maintained in the West, for in many instances a Master of the Horse was promoted to this command,² and it was among the Masters of the Foot that rivals for the throne arose.³

Now these independent commands necessitated the control of both branches of the service, infantry and cavalry, being intrusted to the same Master. This naturally led, at first doubtless in popular, but ere long in official, language, to the introduction of the title *magister equitum et peditum*, which appears in the imperial constitutions as early as 349⁴ and in inscriptions after 365.⁵ A variant form of the title was *magister utriusque militiae*, which occurs in an inscription of the year 370,⁶ although it is not found in the constitutions prior to 383.⁷ A third form of the title was *magister militum*, which first appears in the address of a constitution of 349,⁸ but is not attested by inscriptions before the time of Justinian,⁹ so that until then it was perhaps not a strictly official form. From the foregoing it will be seen that the change in the character of the masterships instituted by Constantine was in full progress by 349 A.D.

The same military necessities which had led to the employment of Masters of the Horse on independent commands caused the formation of the military dioceses of Gaul, Illyricum, Thrace, and the Orient. The continual exposure of the parts of the Empire to barbaric invasions demanded the constant presence of a general with greater authority than the local *comites* and *duces* and with part of the field army

¹ E. g., Lupicinus in the Orient and the *magister equitum per Gallias*, Amm. 26, 5, 2; also Ursicinus, *id.* 15, 2.

² E. g., *Ursicinus magister equitum*, Amm. 15, 2, called to become *magister peditum ad commilitum principis*, *id.* 20, 2; cf. the instances quoted by Mommsen, *Hermes*, XXXVI, p. 534.

³ Amm. 15, 5, 17; 18, 3, 1; 27, 6, 3.

⁴ *C. Th.* 7, 1, 2.

⁵ *CIL.* 3, 10,596; 365-367 A.D.; 3, 88, 371; 3, 3653, 371; etc.

⁶ *CIL.* 3, 5670, of a Master elsewhere called *mag. eq. et ped.*, cf. 3, 3653 etc.

⁷ *C. Th.* 9, 39, 1.

⁸ *Id.* 8, 7, 3 and frequently thereafter.

⁹ *CIL.* 8, (101), 259, 1863, 4677, 4779, 4799, all under Justinian; 8, 4354, 578-582 A.D.; 2, 432, 589-590; 6, 32,050, 589 A.D.

at his disposal.¹ This need Theodosius recognized in his reorganization of the Masters in the East. Moreover, he made a change of far reaching importance in regard to the Master of the Foot. The army which had its headquarters in the vicinity of the eastern court was divided between two *magistri militum*, called *in praesenti* or *praesentales*.² The motive for this was perhaps fear of the power of the Master of the Foot,³ rather than the division of the emperor's court between Antioch and Constantinople.⁴ In the East from this time the command of the military forces at the capital was never concentrated in the hands of one officer,⁵ but, much to the advantage of the rulers, was divided between two officials of equal rank.

The situation in the West was far otherwise. Constantine's aim of personal control on the part of the emperor which prevailed, in part at least, in the East failed completely there. Owing to the rule of "weaklings and women" the real power fell into the hands of a *generalissimo*, who united in his person the offices of *magister equitum* and *magister peditum praesentalis*, and thus concentrated in his hands the whole military power of the Empire in the West. The first of these *Reichsverderbende Reichsretter*, as Mommsen⁶ calls them, was Abogast, placed by Theodosius I to act as general for the youthful Valentinian II.⁷ Stilicho succeeded to his position as guardian of the Empire under the nominal rule of Honorius,⁸ and from the date of his appointment in 394 until the fall of the Roman power in 476, the West

¹ The relation of the Masters to these provincial commanders and to the Prefects will be considered below.

² *N. D. or. p. 1.* *Praesentalis* is rarely found outside of the *Notitia* but occurs in *C. J.* 12, 54, 4, 425-450 A.D.; *Iohannes magister militum praesentalium id.* 12, 35, 16, 492 A.D.; *com(es) et mag(ister) eq(uitum) et p(editum) praes(entalis) CIL.* 5, 8121, 3; 5, 8120, 3.

³ So Mommsen, *Hermes*, XXXVI, p. 537.

⁴ Hodgkin, *Italy and her Invaders*, 1, 2, p. 613.

⁵ Indeed they seem never to have been so concentrated, except perhaps under Jovian, *Amm.* 28, 8, 9; Mommsen, *o. c.* p. 541.

⁶ *L. c.*

⁷ *Zos.* 4, 53; *Philostorgius*, 10, 8; *Prosper, Chronica*, a. 388. His title was *magister equitum et peditum*. *Prosper*, a. 392 has *magister exercitus*.

⁸ *Zos.* 4, 59. He was called *magister utriusque militiae, CIL.* 6, 1188-1190, 1730-1733, 31, 914; 9, 4051; *C. Th.* 7, 13, 18; 20, 13; *magister equitum peditumque, CIL.* 6, 1730; *magister militum, C. Th.* 1, 7.

was hardly ever without one of these army-kings. Constantinus,¹ Castinus,² Felix,³ Aetius,⁴ Bonifacius,⁵ Ricimer⁶ and Orestes⁷ in turn, as Masters of the Soldiers, were the real rulers at Rome. During the whole of this period there seems to have been no regular coördinate or even subordinate *magister praesentalis* to divide the military command with the above mentioned Masters.⁸ This unity of military command naturally led to the abandonment of the older titles *magister equitum praesentalis* and *magister peditum praesentalis* and the adoption of the designation *magister utriusque militiae*, already officially employed in the East. The question then arises of how the arrangement given in the *Notitia Dignitatum*, where, as has been seen, the Master of the Horse and the Master of the Foot in the Presence both find a place, can be reconciled with the new development. The answer seems to be that here, as elsewhere, the *Notitia* records a system which had fallen into disuse by the time of its final composition, while theoretically the view may even then have been held that the *magister utriusque militiae* was simply uniting in his hands two offices, not as a matter of necessity from a constitutional point of view but under the pressure of special circumstances.⁹

Thus far we have considered the rise and the development of the offices of the Masters of the Soldiers and may now turn our attention to the history of the dissolution of the several masterships. Their disappearance was not due to any one administrative enactment but they variously dropped out of existence, or were transformed into, or absorbed by, other offices, at different times and under different circumstances. As far as is possible the story of the fall of each will be traced separately.

(a) *Magister Militum per Gallias*. — The official entitled *magister equitum per Gallias* in the *Notitia* had assumed, by 457, the title of

¹ Prosper, a. 412; *C. Th.* 7, 1, 18; 15, 14, 4; 17, 4, 34.

² Idatius, *Chronicon*, a. 422. ³ *Id.* a. 426.

⁴ Prosper, a. 429; *Val. Nov.* 9, 6; 17, 33; cf. Clinton, *Fasti Romani*, pp. 612 ff.

⁵ Prosper, a. 432.

⁶ *Consularia Ravennatiae*, a. 457; *Maorian. Nov.* 1, 13, 458; 11, 460.

⁷ Jordanes, *de rebus Gothicis*, a. 474.

⁸ Mommsen, *o. c.* p. 543.

⁹ Cf. Mommsen, *Hermes*, XXXVI, p. 543; Seeck, *Quaestiones ad Notitiam Dignitatum*, pp. 9 ff. The view here presented is, in the main, that of Mommsen.

comes et magister utriusque militiae per Gallias,¹ in imitation, probably, of the change of title that had been made in connection with the master-ships at the Western court. The last of the Masters thus officiating for Gaul was Aegidius, who held office from 457 to 464.² He had established himself as an independent ruler and, at the time of his death in 464, was preparing to make an attack upon Italy in alliance with Gaiseric.³ It is true that about this time the title of *magister militum* was conferred by imperial authority upon some of the barbarian kings who had entered the Roman service and had received lands for their peoples in Gaul. Thus Gundioc, the Burgundian, was in 463 called *vir illustris, magister militum*, in a letter of Pope Hilary to Leontius,⁴ and a correspondent of Sidonius Apollinaris⁵ attributes the same title to another king of the same people, Chilperic. However, it is uncertain to what extent or for how long this practice of bestowing military master-ships was in vogue, and these Burgundian princes appear only to have exercised their office over the districts where their followers were settled so that Aegidius may properly be regarded as the last holder of the office of *magister militum per Gallias*.

(b) *Magister Militum Praesentalis* in the West. — It has been shown how the offices of *magister peditum* and *magister equitum praesentalis* in the West came to be concentrated in the hands of one *magister militum*. This commander-in-chief on several occasions attained the imperial purple⁶ or played the rôle of king-maker.⁷ For the reign of Odovacar (476–493) we have proof of the continuance of Roman institutions and officials; among the latter Masters of the Soldiers.⁸ Under his successor Theodoric the official bureau of this Master was maintained,⁹ but the mastership is never mentioned in the *Formulae* of

¹ Priscus fr. 30, F. H. G. p. 104; Gregor. Tur., *Historia Francorum*, 2, 11; Idat. Chron. 217, 218 = Mommsen, *Chronica Minora*, 2, p. 33; Seeck, *Pauly-Wissowa*, 1, p. 476.

² *Ll. cc.*

³ *Cambridge Mediaeval History*, 1, pp. 310, 425.

⁴ *Ep.* 9, *Hilari Papae*, Migne, *Pat. Lat.* 58, p. 27.

⁵ *Ep.* 5, 6, cf. Fustel de Coulanges, *L'invasion Germanique* (ed. Jullian), pp. 452 ff.

⁶ E. g. Maiorianus, Sid. Apoll. Carm. 5, 379; Clinton, F. R. a. 457.

⁷ E. g. Ricimer and Orestes, cf. *Camb. Med. Hist.* 1, pp. 428 ff.

⁸ Anonymus Valesii, 51, 54; Chron. Rav. a. 493; Mommsen, *Neues Archiv*, XIV, p. 505, n. 3.

⁹ Cass. Var. 6, 3.

Cassiodorus.¹ Mommsen² has shown the reason for this omission in pointing out that Theodoric himself held the office of Master of the Soldiers. He had come to Italy as a Master from the East and seems to have regarded himself as always holding that office. In this respect his position is somewhat comparable to that of the Burgundian Masters mentioned in the preceding section. The Gothic successors of Theodoric probably imitated his policy with regard to this mastership.³

On the fall of the Ostrogothic Kingdom in 540, Justinian in all likelihood appointed a military commander on the old model for the new province.⁴ However, there is no evidence that this official was called *magister militum Italiae*,⁵ and, indeed, the title of *magister militum* was employed from this time in Italy to designate military officers of an inferior rank.⁶ But by the year 580 the chief representative of the Byzantine government in Italy had assumed the title of Exarch of Italy,⁷ a change which may have taken place under Justin II.⁸ This new official, the Exarch, had not only full military authority but also controlled the civil government, through the subordination of the Prefect to his orders.⁹ This centralization of authority, this combination of civil and military functions, was a return to the conditions of the Principate. The change was not a sudden one but may be characterized as a gradual usurpation of civil authority by the military official, caused by the necessity of concentrating all power in the hands of one person in the effort to cope with the military exigencies of the time, i. e., the Lombard invasion.¹⁰ In this way the old office of Master of the Soldiers disappeared in Italy and the system out of which it had grown, namely the separation of the civil and military authority, was discarded.

¹ Mommsen, *l. c.*

² *L. c.*

³ *O. c.* p. 185.

⁴ Cf. The practice in Africa and Spain; Mommsen, *l. c.*

⁵ Belisarius had no distinctive title and Narses was designated by his titles of rank alone — *vir gloriosissimus, vir excellentissimus, patricius*, — Mommsen, *l. c.*

⁶ Paulus Diaconus, 3, 8, 27; Gregorius Magnus, *Ep.* 9, 93; 13, 33; cf. Hartmann, *Camb. Med. Hist.* pp. 225, 228.

⁷ Julianus, Ἐξαρχος Ἰ(ταλίας), Rossi, *Inscriptiones Christianae*, 2, p. 455. For Exarch as used by Pope Pelagius in 584 cf. Mommsen, *l. c.*

⁸ Diehl, *L'Exarchat de Ravenne*, p. 15.

⁹ Gelzer, *Themenverfassung*, p. 7.

¹⁰ Gelzer, *l. c.*; Diehl, *o. c.* pp. 1-15; Hartmann, *o. c.* 395-396.

(c) *Magister Militum Africae*. — Upon the recovery of Africa for the Romans by Belisarius in 544, that province was organized by Justinian under a Pretorian Prefect and a Master of the Soldiers, the separation between military and civil offices being thus preserved.¹ A. Müller² thinks that, because the full title *magister militum Africae* does not appear in the imperial constitution which brought into effect the organization of Justinian, no such appointment was made and that a *magister militum praesentalis* of Constantinople was in command of the troops in Africa. But that there was a *magister militum Africae* in 578–582 is certain,³ and we have no reference to a later creation of this office. Also in CIL. 8, 4677, which reads στρα[τηγοῦ] κα[ὶ] ἐπάρχου τῆς Ἀφρίκης Ζολόμ[ωνος], and dates from the reign of Justinian, the word Ἀφρίκης seems to qualify στρατηγοῦ (*magister*) as well as ἐπάρχου (*praefectus*). In the Latin inscriptions Solomon appears as *magister militum* without any qualification, but it does not follow that he was a *magister militum praesentalis* because the word *Africae* is not used, for all these inscriptions come from Africa.⁴

In Africa, as elsewhere, the Master commanded the *comitatenses* and also the *limitanei*, these latter through their duces. But in the matter of supplies, pay, and equipment, the *duces* were dependent upon the Prefect.⁵ However, although this nominal division of authority was maintained in theory, in practice it was not observed. Thus in 535 Solomon, the Master, was at the same time Prefect.⁶ In 536, Germanus, probably accompanied by a Prefect was sent out to supersede him,⁷ but three years later Solomon returned with the same powers as before, and, during the rest of Justinian's reign, the prefecture and the mastership were held by one person or else the former office was sub-

¹ C. J. I, 27, 2.

² *Philologus*, 1912, pp. 106–107.

³ CIL. 8, 4354, A. *Vital[i]o mag[ist]ro el in[lustri] m[agist]ro m[ilitum] Afr[i]ca[e]*.

⁴ CIL. 8, 101, 1863, 4677, 4799. I also think that Müller, *l. c.*, is wrong in calling Johannes and Dominicus *magistri peditum* (Procopius, *Bellum Vandalicum*, I, 11, p. 359, Bonn, τοῖς τῶν πεζῶν ἡγεμόσι ἅπασιν ἐφειστήκει, and 2, 16, p. 482 τῷ πεζῷ στρατῷ ἐπιστήσων). Both were infantry commanders but under the orders of Belisarius and Germanus respectively, and do not correspond to the older *magistri peditum*, long since entitled *magistri militum*. Further there is no reason to call Demetrius, στρατηγός, *id. Bellum Gothicum*, 3, 6, p. 303, *magister militum Italiae*, see above.

⁵ C. J. I, 29, 2.

⁶ Diehl, *L'Afrique Byzantine*, p. 177.

⁷ Procop. B. V. p. 482.

ordinated to the latter.¹ In this way in Africa appeared the first signs of the reunion of civil and military authority.²

A Master of the Soldiers in Africa is found under Tiberius in the person of Vitalius,³ but by 591 the Exarch of Africa, with powers superior to those of the Prefect, had succeeded the Master.⁴ So the same process went on in Africa as in Italy and culminated in the appointment of a single official clothed with the highest civil and military authority. In each of these cases it was the military office that absorbed the power of the civil authority and, on account of its increased importance, received a new and higher title.

(d) *Magister Militum per Illyricum*. — In Illyricum the course of events ran somewhat differently than in Africa and Italy. Our information regarding the administration of this province during the first half of the sixth century is very scanty. However, in the seventh the Prefect functioning there appears to have assumed the duties of the Master of the Soldiers.⁵ In this case it was the civil that had absorbed the military office; but the result, the union of civil and military power in the hands of the chief official, was attained here as elsewhere. The reason for the inversion of the ordinary process is not clear. Gelzer⁶ suggests that, as Illyricum was regarded as lost to the Byzantine Empire, adequate measures for the military protection of the province were not taken by the central government, and therefore, the defence of the country devolved upon the Pretorian Prefect, who continued to govern almost independently.⁷

(e) *Magister Militum per Thracias*. — The seventh century was a period of great military activity in the East as well as in the West. The assaults of the barbarian peoples upon the northern and eastern frontiers of the Empire were incessant and forced the defenders of the older culture world to exert themselves to the utmost to maintain their

¹ Diehl, *l. c.*

² Diehl, *o. c.* p. 17.

³ *CIL*. 8, 4354, *id.* 2245 refers to Gemadius (*comes* ?) sent by Tiberius in 578 as *magister militum* to Africa. He was recalled in 580, cf. Diehl, p. 473.

⁴ Greg. Mag. *Ep.* 1, 59; Diehl, p. 473, n. 4, 474.

⁵ Gelzer, *Themenverf.* p. 41, where attention is called to the parallel offered by Egypt, in which province the civil governor, the *Augustalis*, obtained the military command with the title of *dux*.

⁶ *L. c.*

⁷ Gelzer, *l. c.*

existence. In the storm and stress of this epoch a new military organization, that of the *themes* (θέματα), developed, which put an end to the dioceses of the Masters of the Soldiers. The steps of this movement are obscure, but it is certain that it was a gradual one and that it had its beginning in the reign of Heraclius (610-641).¹ Speaking summarily, one may say that the *themes* were at first purely military districts, or perhaps rather the corps stationed in these districts,² formed by the division of the commands of the Masters of the Soldiers into smaller units.³ Under Leo the Isaurian (717-740), however, the old civil provinces and their governors were abolished, the military officials given civil authority, and their army districts raised to civil provinces.⁴

One of the new military districts thus created corresponded in general to the previous mastership in Thrace. This was the θέμα τῶν Θρακίων which was commanded by an official styled πατρίκιος καὶ στρατηγός.⁵ The date of the establishment of this Thracian *theme* may be placed roughly at some time shortly before 687.⁶

(f) *Magister Militum per Orientem*. — The sphere of the Master of the Soldiers in the Orient was, according to the *de Thematibus*, broken up under Maurice (582-602).⁷ The cause of this change is said to have been the military needs arising from the invasions of a people called the Ἀγάρηνοι (Avars).⁸ What remained of the original command became the Anatolian *theme*.⁹ As in Thrace the commander of this *theme* was a πατρίκιος καὶ στρατηγός.¹⁰ The organization of the new command was completed before 669.¹¹

(g) *Magister Militum per Armeniam*. — The establishment of the military Mastership of Armenia by Justinian has been noticed already. Under Maurice it grew to be a very important command,¹² but in the course of the seventh century its extent was greatly circumscribed.

¹ Gelzer, p. 9.

² Diehl, *L'Origine du Régime des Themes dans l'Empire byzantine*, p. 12; Gelzer, pp. 54 ff.

³ Constantine Porphy., *de Thematibus*, I, pp. 12, 13 — 13, 3; 16, 5-13 (Bonn).

⁴ Gelzer, pp. 75 ff.

⁶ Diehl, *o. c.* p. 53.

⁵ Gelzer, *o. c.* p. 10.

⁷ Const. Por., *de Them.* 16.

⁸ *L. c.*

⁹ Gelzer, *o. c.* p. 53.

¹⁰ *Id.* p. 10.

¹¹ Diehl, *o. c.* p. 53.

¹² Theophanes, p. 175, 7-10 (Bonn); Gelzer, *o. c.* p. 20.

The major portion, however, remained as the Armenian *theme*, τὸ θέμα τῶν Ἀρμενιακῶν,¹ which received its new title before 665.²

(h) *Magistri Militum Praesentales* in the Eastern Empire. — The *magistri militum praesentales* of the East disappeared completely in the seventh century. The imperial armies of the capital and the adjacent parts of Europe and Asia were united in one command, called τὸ θεοφυλακτὸν βασιλικὸν ὄψικιον. The officer commanding these troops was known as the κόμης τοῦ ὄψικίου. The reorganization here, as in Thrace, was completed before 687 A.D.³

It is clear that in this new military system of the Byzantine Empire the πατρίκιοι καὶ στρατηγοὶ of the seventh century were the heirs of the *magistri militum* of the sixth.⁴ Since in the period from the fourth to the seventh century the title στρατηγός was employed as often as that of στρατηλάτης for the Masters of the Soldiers in the East, if not more frequently, there was practically no change in the title of the chief military officials. However, the office of στρατηγός seems at this time to have conferred upon its holder the patrician dignity. The union of civil and military authority in the hands of the στρατηγοὶ under Leo III has been related above.

Two *magistri militum* left no successors in the later Byzantine Empire for the districts that formed their spheres of action were lost to the imperial power. These Masters were the *magister militum Dalmatiae* and the *magister militum Spaniae*.

(i) *Magister Militum Spaniae*. — There is but one notice of a *magister militum Spaniae* and that is found in an inscription of the year 589–590.⁵ Here we have mention of a Commenciolus, Master of the Soldiers in Spain, “sent by the Emperor Maurice against the barbarian foe,”⁶ who was recalled from this mastership to a command in Thrace.⁷ Now the occupation of parts of Spain by the imperial forces took place in 550, when, during a contest for the throne of the Visigoths, the weaker of the rivals appealed to Justinian who, while sending aid to the petitioner, occupied several towns and refused to

¹ Gelzer, *o. c.* p. 24.

² Diehl, *o. c.* p. 53.

³ Gelzer, *o. c.* p. 10; Diehl, *l. c.*

⁴ Diehl, *o. c.* p. 60.

⁵ *CIL.* 3, 3420.

⁶ *Id.*, *missus a Mauricio Augusto contra hostes barbaros.*

⁷ Clinton, *F. R.* 2, p. 151.

evacuate them.¹ This territory was held by the Empire until 620.² It does not seem probable that Justinian created a mastership for Spain, for, if he had done so, we should probably have some record thereof in a constitution. Therefore we may conclude that one of his successors appointed a Master of the Soldiers for Spain on the model of the Master in Africa, and that this office continued to exist until the Visigoths recovered their lost possessions.

(j) *Magister Militum Dalmatiae*. — Regarding the *magister militum Dalmatiae* our information is also very scanty. A constitution of 473 mentions a certain Nepos, *magister militum Dalmatiae*,³ and this seems to be the only evidence for the existence of the Dalmatian mastership.⁴

In 395 Dalmatia was separated from the Eastern and added to the Western half of the Empire. Up to the time of the publication of the *Notitia* this province does not seem to have had a special military commander. But about 454 a noble named Marcellianus (Μαρκέλλινος or Μαρκελλίανος, in the Greek sources), upon the death of Aetius, refused to acknowledge the authority of the emperor of the West, and ruled Dalmatia independently.⁵ A conspiracy was at one time on foot to raise him to the throne.⁶ However, Marcellianus later became reconciled with Constantinople and operated against the Vandals in Sardinia in conjunction with Heraclius, by whose treachery he met his death in 468.⁷ There is no direct evidence to show that he bore the title of *magister militum*, although that is not at all unlikely.

The nephew of Marcellianus was Julius Nepos who ascended the Western throne in 474, was deposed in 475, and retired to his estates in Dalmatia, where he was put to death in 480.⁸

¹ Isidore, *Hist. Goth.* in *Monumenta Germaniae Historiae*, 11, p. 286, Athanagildus — *militum sibi auxilia ab imperatore Iustiniano poposceraat, quos postea submovere a finibus regni molitus non potuit*. Carthagera was one of the points occupied, *CIL.* 2, 3420.

² Isid., *Hist.* 62; *Chronica*, 416 = *MGH.* 11, pp. 292, 480.

³ *C. J.* 6, 61, 5.

⁴ The Nepotianus *magister militiae*, recorded by Idatius for the year 459, was apparently not a holder of this office.

⁵ Procopius, *B. V.* p. 336, 8 (Bonn); Suidas, *Lexicon s. v.* αὐτόνομος, οὐδενός οἱ ἐλς χεῖρας ἰέναι τολμήσαντος.

⁶ Sid. *Apol.* 1, 11, 6.

⁷ Procop. *B. V.* p. 339, 20.

⁸ Marcellinus, *Chron.* a. 480.

It is a question whether this Julius Nepos is the Nepos of the constitution of 473. In the address of the constitution a variant reading gives the name as Nepotianus,¹ and the Emperor's name is also found in this form.² His Dalmatian origin is mentioned likewise.³ It has been suggested⁴ that the Nepos of the edict was the father of Julius Nepos; but, taking into consideration the date of the constitution, 473, and that of the elevation of Nepos to the purple, 474, it seems reasonable to conclude that this Julius was the *magister militum Dalmatiae*. It is probable, therefore, that the Emperor Leo came to an agreement with Marcellianus, whereby Dalmatia became a province of the Eastern half of the Empire and, in return, the chief military command there was raised to the dignity of a mastership and conferred upon a member of the powerful family which had given proof of its influence in the province. It is impossible to say how long this mastership was in existence.

The Official Rank of the *Magistri Militum*.

The rank which the Masters of the Soldiers held among the officials of the Roman Empire is now to be considered. Their position can best be judged from a review of the various titles of rank with which they were honored. These titles were the following.

(1) *Comes*. — The *magistri militum* during the fourth and early part of the fifth century seem regularly to have borne the title *comes*. It first occurs in a constitution of 349,⁵ and, although it is frequently omitted in the addresses of similar documents, the titles *virii illustres comites et magistri equitum*,⁶ *universi comites et magistri equitum et peditum*,⁷ and *comites et magistri utriusque militiae*⁸ testify to the frequency with which these Masters enjoyed this rank.

In the *Notitia Dignitatum* the Masters do not have the title *comes*, which, however, appears regularly in the inscriptions from 365–367 to

¹ C. J. 6, 61, 5 ed., Freiesleben; Clinton, *F. R.* p. 679.

² Theophanes, a. 456.

³ *L. c.*

⁴ Means, in Smith's *Dictionary of Greek and Roman Biography*, s. v. Nepos.

⁵ C. Th. 7, 1, 2, *Silvanus comes et magister equitum et peditum*.

⁶ C. J. 1, 29, 1, 386–387 A.D.

⁷ C. Th. 12, 1, 113, 386 A.D.

⁸ *Id.* 1, 21, 1, 393.

420.¹ But in the inscriptions of the next century this title is not found at all, and its last connection with a mastership in the West is in a constitution of Marjorian of 460 A.D.² The last eastern constitution with a similar reference dates from 441.³

The cause of this abandonment of the title *comes* was a change that was made in its employment. Except where it had become a fixed part of the title of an office, as e. g., *comes sacrarum largitionum*, in which case it was no longer a purely honorary designation, *comes* tended to be applied more and more to the lower grades of officials, and, in general, to those who were exempt from the curial *munera*.⁴ Consequently it was abandoned by the higher officials.⁵

(2) *Perfectissimus*. — At first the *magistri militum* belonged to the class of the *perfectissimi*.⁶ However, before 365 they had been admitted to the higher class of the *clarissimi*, as is clear from the inscription of Equitius dating from that time.⁷

(3) *Clarissimus*. — The clarissimate of these Masters is not attested by the Theodosian Code but, apart from the inscription of Equitius, it is proved by inscriptions of 370⁸ and 371, the latter reading *dispositione Julii(i), v(iri) c(larissimi), comitis, magistri equitum et peditum*.⁹ However, in this latter year Equitius appears as an *illustris*.¹⁰ Consequently

¹ *CIL.* 3, 10,596, *Equitio v(iro) c(larissimo), comite, magistro equitum peditumque*, 365-367; *id.* 5670, 370; Julius, 3, 88, 371; Stilicho 6, 1730, 398-399; 1731-1734, 405-408; 1188-1190, 4051, 31,914, *id.*; 5, 8120, 3, Petrus; Rossi, 1, 612 *Fl(avio) Co[n]st[antino] v(iro) c(larissimo) et inl(ustrissimo), comiti et magistro utriusque militiae*, 420 A.D.

² *Mai. Nov.* 11, *Ricimer, v(ir) inl(ustris), comes et magister utriusque militiae*.

³ *Th. Nov.* 7, 4.

⁴ However, *comes* seems to have remained in some cases in the West as a title for high military officers, for Aegidius, *magister militum* in Gaul appears as *comes utriusque militiae* for 463 A.D. in *Idat. Chron.* 218 = Mommsen, *Chronica Minora*, 2, p. 33.

⁵ Seeck in *Pauly-Wissowa*, 4, p. 636.

⁶ *Bonosus, mag(ister) mil(itum), p(erfectissimus) v(ir)*, inscribed on a brick found at Carnutum, Hirschfeld, *die Ranktittel der römischen Kaiserzeit, Kl. Schriften*, p. 657, n. 3. Bonosus was Master in 347, *C. Th.* 5, 6, 1.

⁷ *CIL.* 3, 10,596, quoted above.

⁸ *CIL.* 3, 5670a, also of Equitius.

⁹ *Id.* 3, 88.

¹⁰ *Id.* 3, 3653, *illustris viri, utriusque militiae magistri*.

it must have been in 371 that the *magistri militum* were raised to the *illustrissimate*.¹

A defunct *clarissimus* was spoken of as *clarissimae memoriae*, and an ex-Master is so designated in a constitution of 360,² but as he was also an ex-Consul it is not certain that he owed his *clarissimate* to his mastership. If this were so, then the *magistri militum* had become *clarissimi* before 365.

(4) *Illustris*. — We have seen that the Masters became *illustres* in 371, and as such they appear in a constitution of the following year.³ They also have this title in the *Notitia*.⁴

Frequently *illustris* was joined with *clarissimus*, which after this time was no longer used alone as a Master's title. Thus Stilicho is regularly entitled *vir clarissimus et inlustris*,⁵ and Constantinus had the same designation.⁶ This combination has been explained by referring the *clarissimus* to the inherited senatorial, and the *illustris* to the acquired official, rank.⁷

As an alternate form for *illustris*, *illustrissimus* was sometimes employed, as in the cases of Stilicho in 398–399⁸ and Sigisvuldus in 440.⁹ The former is also styled *illustris et praeclarus vir*.¹⁰

In 372 the Prefects and the Masters of the Soldiers formed a class of *illustres* of equal rank.¹¹ Upon retirement to a private station they took precedence according to the date at which they had received their appointments (*codicilli*).¹² In 485 these Masters were classed below the Prefects¹³ as they are in the *Notitia*. But another constitution of

¹ Cf. Hirschfeld, *Kl. Schriften*, pp. 651 ff.

² *C. Th.* 11, 1, 1, *clarissimae memoriae Eusebio, exconsule et exmagistro equitum et peditum*. For the date cf. the edition of Mommsen and Meyer, *ad loc.*

³ *C. Th.* 6, 7, 1 = *C. J.* 12, 4, 1. Also in 386–387, *C. J.* 1, 29, 1, *virii illustres comites et magistri*.

⁴ *N. D. or. sect.* VI, *occ.* V.

⁵ *CIL.* 6, 1188–1190, 1731–1734 (405–408 A.D.), 31,914.

⁶ Rossi, 1, 612, 420 A.D.

⁷ Koch, *die Byzantinischen Beamtentitel von 400 bis 700*, p. 12.

⁸ *Flavio Stilichoni, illustrissimo viro*, *CIL.* 6, 1730.

⁹ *Val. Nov.* 9, 1, 10.

¹⁰ *CIL.* 9, 4651.

¹¹ *C. Th.* 6, 7, 1, *indiscretae dignitatis*.

¹² *Id.* This rule was especially enforced *ubi intra secretaria extraordinariosque conventus subest ratio visendi salutandive iudicis*.

¹³ *C. J.* 3, 24, 3.

Zeno (474-491) gives a first class of *illustres* composed of the Prefects and the *magistri militum*,¹ just as in 372.

It cannot be determined exactly when these Masters ceased to be styled *illustres*. In 520 a Master called Romanus still held that title² and an ex-Master appears as an *illustris* about 525.³ Further, an inscription dating from between 578 and 582, if restored correctly, reads *Vita[l]io, mag[nifico et] inl[ustri] m[agistro] m[ilitum] Africae*.⁴ However, this is the only instance of a Master having the title *illustris* after the first quarter of the sixth century, and, since in 535 they were *gloriosissimi*, it is probable that the Masters were raised above the *illustrissimae* between 520 and the latter date.

(5) *Magnificus*. — The title *magnificus*, which apparently denoted the same rank as *illustris*,⁵ was used by the Masters before the middle of the fifth century.⁶ *Magnificus* and *illustris* were sometimes combined as in the title *magister militum illustris et magnificus*,⁷ and, again, the two titles were used without distinction, as in a constitution of Theodosius,⁸ where *vir illustris magister militum* and *vir magnificus magister militum* occur indifferently. These and similar instances show that there was no real distinction in rank between the *illustres et magnifici* and the *illustres*.⁹

As *illustrissimus* was an alternate form for *illustris*, so *magnificentissimus* sometimes took the place of *magnificus*,¹⁰ and there is an example of a Master with both these designations — *inlustrissimus et magnificentissimus Fl. Dionysius, utriusque exercitus magister*.¹¹ Later,

¹ *Id.* 10, 32, 64.

² Mansi, *Historia Conciliorum*, 8, p. 498, *vir illustris Romanus magister militum*.

³ *CIL.* 3, 8120, *Fl. Theodorus Filoxenus Soterius, vir ill[ustri]s, com(es) domest[ico]rum, exmag[ister] per Thracias*.

⁴ *CIL.* 8, 4354.

⁵ Koch, pp. 43, 51.

⁶ *C. J.* 12, 8, 2, 440-441, *vir magnificus Germanus magister militum*.

⁷ *C. J.* 12, 59, 8, 457-467.

⁸ *Th. Nov.* 7, 4, 441.

⁹ *C. J.* 12, 59, 8, 409, *ad inlustris et magnificos viros praefectos praetorio et inlustris viros magistros militum*.

¹⁰ Koch, p. 45.

¹¹ Mansi, 4, p. 1467, 431, A.D., Koch, p. 97 doubts the genuineness of this Latin version for which the Greek is not extant.

magnificentissimus et gloriosissimus, with its Greek equivalent μεγαλοπρεπέστατος καὶ ἐνδοξότατος, becomes a fairly common title of the *magistri militum*.¹

(6) *Gloriosissimus*. — Under Justinian the title *gloriosus* or *gloriosissimus*, in Greek ἐνδοξος or ἐνδοξότατος, denotes a new and higher rank than *illustris* or *magnificus*.² We have already seen that the *magistri militum* were entitled *magnificentissimus et gloriosissimus* in the fifth century, and *gloriosus* alone appears between 514 and 523,³ but it was probably not much before 530 that the class of the *gloriosi*, consisting of the Prefects, the Master of the Offices and the Masters of the Soldiers, was officially constituted.⁴ The last instance of the application of this title to a Master dates from 628.⁵

Gloriosissimus et excellentissimus is the title given in one of the inscriptions of Solomon,⁶ *magister militum* under Justinian, but elsewhere he is merely styled *gloriosissimus*.⁷

We have thus followed the Masters of the Soldiers through the different official grades from the perfectissimate to the gloriosissimate. The institution of these different rank classes was due to the great development of officialdom in the Empire and the consequent necessity of establishing a definite order of precedence among the officials in the imperial service. With the natural tendency to admit ever increasingly wider circles of officials to the existing dignities, it became necessary to create new and more exclusive classes for the higher members of the official bureaucracy. It is for this reason, then, that we find the *magistri militum* continually advancing from the wider to the narrower classes of rank.

Apart from the above mentioned titles, which denoted definite classes in the official world, the Masters of the Soldiers enjoyed others

¹ Mansi, 5, p. 886; 6, pp. 564, 938; 7, pp. 1, 97, 127 ff., referring to Anatolius, Master in the Orient, c. 425-450, cf. *C. J.* 12, 54, 4.

² Koch, pp. 43, 65.

³ Mansi, 8, p. 483.

⁴ Cf. *C. J.* 5, 70, 7, 6, 530; *J. Nov.* 8, ed., 1, 535; *id.* 30, 536; *Just. Ed.* 8, 1, 548 A.D.

⁵ *Chron. Pasc.* p. 131 (Bonn). Koch, p. 70, has a list of the examples up to that date.

⁶ *CIL.* 8, 1863, cf. 101.

⁷ *Id.* 8, 4677, 4799, cf. *gl(oriosissimus) Mauricius mag(ister) mil(itum)*, Dessau, 9217 a, b.

that were attributed to the highest officials in general without reference to any particular rank. These titles were the following.

(1) *Excelsus*. — In a constitution of 402 a *magister militum praesentalis* is designated as *vir excelsus*,¹ and the same title is used for the *magistri militum* generally in a similar document of the time of Justinian.²

(2) *Excellentissimus*. — Under Justinian the Master of the Soldiers Solomon had the title of *excellentissimus*, — *per gloriosum Solomonem excellentis(simum) magistrum militum [exconsule bis p]raefectum pretorio*, etc.³

(3) *Eminentissimus*. — In 444 a *magister militum* bore the title of *eminentissimus*,⁴ which continued to be attributed to these Masters even in the reign of Justinian.⁵

(4) *Fortissimus*. — The Masters of the Soldiers are once designated *fortissimi*,⁶ a title peculiarly applicable to those engaged in military service and frequently employed with reference to those of lower rank.⁷ The Greek phrase was ἀνδρείοτατοι στρατηγοί.⁸

(5) *Sublimis*. — The *magistri militum* were called *sublimis* as early as 438.⁹ In 518 a Master was included among the *sublimes et magnifici viri*,¹⁰ and in the following year a Master's *vicarius* was styled *sublimis*.¹¹

Leontius, who in 528–529 was entitled *vir sublimissimus magister militum*, was also *expraefectus pretorio, consularis atque patricius*,¹² so that he may have owed the title of *sublimissimus* to another office than

¹ *C. J.* 12, 35, 18.

² *Id.* 4, 65, 35, *sub excelsis magistris militum*.

³ *CIL.* 8, 101, cf. Koch, p. 91, who thinks that perhaps this title was due to other offices than the Mastership. In view of the position of the word that is hardly probable.

⁴ *C. J.* 7, 51, 11.

⁵ *Id.* 12, 35, 17, 472; 20, 529; 1, 3, 53, 533.

⁶ *J. Nov.* 30, 6, 1.

⁷ Koch, p. 96.

⁸ *J. Nov. l. c.*

⁹ *Th. Nov.* 4, 7, *vir sublimis Anatolius magister utriusque militiae per Orientem*.

¹⁰ *Inter quos magister militum Vitalianus*, Mansi, 8, p. 454.

¹¹ *Candido viro sublimi vicario magistri militum*, Mansi, 8, p. 490.

¹² *C. J.* constitutions *haec quae necessario and summa*.

his mastership. However, it seems more natural that it should be bestowed on account of the position which he then occupied.

(6) *Parens*. — *Parens* is a form of address used by the emperors of the West towards the *magistri militum* in the constitutions of the fifth century. In 440 Sigisvuldus was addressed as *p[arens] k[arissime] a[ltique] a[mantissime]*,¹ and in 445 Aetius received the same terms of honor.² In 458 Marjorian wrote *erit apud nos cum parente patricioque Ricimeri rei militaris pervigilcura*,³ at a time when Ricimer was a *magister militum*.⁴ It is probable that the peculiarly influential position of these Masters in the Western Empire was the ground for the conferment of this title.

The Master's authority (*magisteria potestas*)⁵ was itself dignified with the epithet *illustrissima*⁶ or *excelsa*.⁷ It conferred upon its holders the right to a series of substantive forms of address as complimentary as the honorary adjectival appellations of the *magistri militum*, and in most cases, their equivalents. These forms follow in alphabetical order.

(1) *Auctoritas*. — *Tua auctoritas* appears as early as 364,⁸ and continues to be used throughout the fourth century. It was sometimes qualified as *illustris*,⁹ or *insignis*,¹⁰ and even as *illustris et magnifica*.¹¹

(2) *Celsitudo*. — *Tua celsitudo* was employed in the latter half of the fifth century.¹²

(3) *Culmen*. — *Culmen tuum* appears once in the early fifth century.¹³

¹ *Val. Nov.* 6, 1.

² *Id.* 6.

³ *Maior. Nov.* 1, 13.

⁴ *V(ir) in(l)ustris com(es) et mag(ister) utr(iusque) mil(itia) et patricius*, *id.* 11, 460.

⁵ Used from 398, *C. Th.* 1, 7, 3, to 534 *C. J.* 1, 27, 2; also in the *Notitia*.

⁶ *C. J.* 12, 57, 16, 491-518.

⁷ *Id.* 35, 18, 492.

⁸ *C. Th.* 7, 4, 12.

⁹ *Id.* 6, 24, 6, 395; 7, 5, 1, 399.

¹⁰ *Id.* 8, 5, 56, 396; 7, 7, 3 = *C. J.* 11, 61, 2, 398.

¹¹ *Th. Nov.* 7, 441.

¹² *Val. Nov.* 33, 451; *C. J.* 12, 35, 18, 492; 37, 16, 491-518.

¹³ *C. Th.* 1, 7, 4, 414.

(4) *Excellentia*. — *Tua excellentia* occurs in one constitution of the fourth century.¹

(5) *Gloria*. — *Tua gloria* came into use in the sixth century.² Its Greek equivalent was ἡ ὑμετέρα ἐνδοξότης, which occurs with considerable frequency.³

(6) *Magnificentia*. — *Tua magnificentia* was used during the later fourth and early fifth centuries.⁴

(7) *Magnitudo*. — *Tua magnitudo* appears in the late fourth and continues to be used in the two following centuries.⁵ It is qualified as *sublimis*,⁶ and as *illustris et praeclsa*.⁷

(8) *Praestantia*. — *Tua praestantia* occurs only in two constitutions of the early fifth century.⁸

(9) *Sinceritas*. — *Tua sinceritas* was used in the fourth century only.⁹

(10) *Sublimitas*. — *Tua sublimitas* was a common form of address used to the *magistri militum* from the end of the fourth until well on into the sixth century.¹⁰

Magister Militum as an Honorary Title.

The dignity of a military mastership could, like that of a Master of the Offices and indeed of nearly all the imperial appointments, be conferred as an honor or reward for service, without entailing the performance of any duties. This practice gave rise to the two classes of ordinary and honorary Masters.

¹ *C. Th.* 8, 1, 101, 365.

² *C. J.* 1, 27, 2, 534; *J. Nov.* 155, 533; 145, 553.

³ *Greg. Ep.* 1, 74; 2, 7, 32, 33; 9, 47, 53, 124, 159, 160, 162; 10, 10; *Mansi*, 10, p. 586, 625-638 A.D.

⁴ *C. Th.* 12, 1, 113, 368; 7, 1, 13; 391; 8, 1, 15, 415; 7, 7, 5, *id.*

⁵ *C. Th.* 16, 8, 9, 393; *C. J.* 6, 61, 5, 473; 12, 35, 15, 458; 49, 11, 485-486; 35, 18, 492; 1, 29, 5, 530; 27, 2, 534.

⁶ *C. Th.* 16, 8, 9.

⁷ *Val. Nov.* 6, 1, 440; 17, 445.

⁸ *C. Th.* 7, 17, 1, 412; 7, 1, 4, 414.

⁹ *C. Th.* 7, 1, 9, 367; 20, 11, 373.

¹⁰ *C. Th.* 1, 5, 10, 393; *C. J.* 12, 35, 3, 395-407; *C. Th.* 7, 17, 1, 412; 1, 8, 1, 415; *Th. Nov.* 7, 4, 441; *C. J.* 6, 61, 5, 473; 12, 35, 17, 474-491; 12, 35, 18, 497; 12, 37, 16, 491-518.

The ordinary *magistri militum*, called *in actu positi* or *administratores*,¹ naturally took precedence over those having merely the honorary rank, and from 382 were given the seniority over the *consulares*.² Along with the Patricians, Prefects, Consuls and Consulars, these Masters were excused by Zeno from all the obligations falling upon members of the municipal councils.³

When they had vacated their office they were called *honorati*, and ranked with the ex-Prefects according to seniority of appointment.⁴ Their regular title was then ex-Master (*exmagister*).⁵

The honorary Masters were divided into two classes, *vacantes* and *honorarii*, distinguished by the permission given to the former to wear the *cingulum*, or Master's belt of office, while the latter had only the *codicilli*, or letters patent of their rank.⁶

The *vacantes* in their turn were composed of two classes, (a) those who had earned their badge of office by service in the presence, and (b) those who had received it when on service elsewhere.⁷ The *honorarii* included two similar groups of *praesentes* and *absentes*. The *vacantes* ranked above the *honorarii*, and the *praesentes* among each above the *absentes*.⁸

The *vacantes*, however, might be intrusted with the duties of the ordinary Masters, in which case they were included among the latter; "for why," says the constitution, "should Germanus *magister militum* be called *vacans*, when we have intrusted him with a campaign against the enemy?"⁹ The *honorarii* were not so employed.

A constitution of 372 directed that those having the honorary codicils of a *magister equitum* should rank below those decorated with the insignia of the proconsulate.¹⁰

¹ C. J. 10, 32, 64; 12, 8, 2.

² C. Th. 6, 6, 1.

³ C. J. 10, 32, 64, a *curiarum nexibus vel onere*.

⁴ C. Th. 6, 7, 2 = C. J. 12, 4, 2.

⁵ C. Th. 11, 1, 1, 360; CIL. 8120, 4, c. 525.

⁶ C. J. 12, 8, 2, 440-441.

⁷ (a) *vacantes qui praesentes in comitatu illustris dignitatis cingulum meruerint*, (b) *quibus absentibus cingulum illustris mittitur dignitatis, l. c.*

⁸ *Id.*

⁹ *Cur enim aut vir magnificus Germanus magister militum vacans appellatur, cui bellum contra hostes mandavimus, id.*

¹⁰ C. Th. 6, 22, 4.

These honorary Masters were *illustres*, with the specific rank of *magistri militum*, and among the holders of this honorary illustriissimate they held a position corresponding to that occupied by the ordinary Masters among the *illustres* in active service.¹

The consideration of these titles of honor which the *magistri militum* enjoyed has shown that as early as 372 they were placed in the same order of rank as the highest officials of the Empire — the Prefects.² Still the prefecture was held to be the higher dignity; for, in 380, it was enacted that the retired (*privati*) Prefects who had occupied a military mastership before their prefecture should take precedence over those who had held the former office after the latter.³

The high position of these Masters is attested by the *Notitia Dignitatum* also, where they are placed immediately after the Prefects. Here we find the order of seniority among the Masters themselves. In the East this was (1) *magistri equitum et peditum praesentales duo*, (2) *magister equitum et peditum per Orientem*, (3) *magister equitum et peditum per Thracias*, and (4) *magister equitum et peditum per Illyricum*.⁴ In the West the order was (1) *magister peditum in praesenti*, (2) *magister equitum in praesenti*, and (3) *magister equitum per Gallias*.⁵

Throughout the fifth century the position of the Masters of the Soldiers relatively to the other officials remained unchanged. In the sixth century, in 537, they are found with the Prefects and the Patricians forming the order of the *gloriosissimi*.⁶ However, in Justinian's edict of 548 the Master of the Offices, then also a *gloriosissimus*, is mentioned before the *magistri militum*,⁷ which may be an indication that the former was then given a position at least as high as that of the latter, and that the process was beginning by which the Mastership of the Offices developed into the highest order of rank in the Byzantine Empire.

We have seen that the *magistri militum* continued to hold their place in the circle of the *gloriosissimi* through the sixth into the seventh century. Thus from the time of their creation until their disappear-

¹ C. J. 12, 8, 2.

⁴ N. D. or. p. 1.

² C. Th. 6, 7, 1 = C. J. 12, 4, 1.

⁵ N. D. occ. p. 103.

³ C. Th. 6, 7, 2 = C. J. 12, 4, 2.

⁶ J. Nov. 62.

⁷ Ed. 8, 1, *gloriosissimi magistri sacrarum nostrorum officiorum sed et gloriosissimorum magistrorum militum*.

ance these Masters, as the chief military officials of the Empire, took their place in the highest order of rank with the foremost civil dignitaries.

The Military Authority of the *Magistri Militum*.

The *magistri militum*, as has been stated before, were appointed to command what may well be called the "field army" (*comitatenses*), in contrast to the "fortress troops" (*limitanei*, *riparienses*), who were quartered in permanent camps along the frontier or at other convenient points and who were under the orders of the *duces* or the *comites rei militaris*.¹ The *Notitia Dignitatum Orientalium* gives the number and the character of the troops under the command of the eastern Masters at the time of its composition,² and similarly the commands of the western Masters are given in the *Notitia Dignitatum Occidentalium*,³ where the theoretical distinction between the *magister peditum praesentalis* and the *magister equitum praesentalis* is preserved in the attribution of cavalry only to the latter and infantry only to the former. Regarding the forces of the Masters in Africa, Armenia, Dalmatia and Spain, we have no information.

But this principle of having different commanders over the field army and the fortress troops did not remain effective in practice. It is possible that during the fourth century the *duces* suffered little interference from the Masters in their control of the *limitanei*,⁴ but an inscription of 365-367 narrates that a fort in Pannonia Inferior was built under the supervision of a *dux* at the direction of a Master.⁵ This shows that the Master exercised some sort of control over the *dux*. Again, in 412, the *magister militum per Thracias* was ordered to attend to the construction and repair of the guard boats on the Moesian and Scythian frontier, although these were under the command of the local *duces*.⁶ Further, constitutions of 392⁷ and 424⁸

¹ For *comitatenses* and *limitanei* cf. Mommsen, *Hermes*, XXIV, pp. 195 ff. On these *comites* and *duces* cf. Seeck, *Pauly-Wissowa*, 4, p. 662; 5, p. 1871.

² *N. D. or.* pp. 11, 15, 19, 23, 27.

³ *Id. occ.* pp. 121, 129, 135.

⁴ Cf. Seeck, *l. c.*

⁵ *CIL.* 3, 10,569, *disponente Equitio, v(iro) c(larissimo), comite, mag(istro) equitum peditumque, curante Augustiano duce.*

⁶ *C. Th.* 7, 17, 1.

⁷ *Id.* 12, 1, 128.

⁸ *Id.* 7, 4, 36, cf. *C. J.* 1, 46, 3, *re the officia* of the *duces*.

directed the Masters to control the relations of the *duces* to the *curiales* and to carry out certain arrangements regarding the allowances of the *comites*. These provisions show a subordination of the *duces* and the *comites* to the Masters. Moreover, when the *magister militum* of Armenia was appointed the *duces* of the *limites* included within his command were expressly placed under his authority,¹ and upon the reorganization of Africa in 534 the *duces* there were made subject to the orders of the Master in military matters.² Accordingly the tendency seems to have been for the Masters to gain more and more control over the *duces* and thus over the *limitanei*. However, it must not be forgotten that the Master of the Offices, after 443, was in charge of the material condition of the frontier defences,³ and that the *duces* and the soldiers at their disposal were dependent upon the Pretorian Prefects for their pay and provisionment.⁴

But while the Masters thus won the command over the *limitanei*, another process was going on by which the *duces* obtained control over the *comitatenses*. A constitution of 400⁵ forbidding the *duces* to transfer soldiers from the *comitatenses* and *palatini* to the *limitanei* evidently presupposes that these officers exercised some authority, even if usurped, over the field army.⁶ However, in the *Notitia* the *comitatenses* appear directly under the command of the Masters and not under any *duces*. But finally, in 492, Anastasius placed the *comitatenses* in every respect under the *duces* of the various provinces where they were quartered.⁷ This regulation naturally brought the *duces* under the control of the *magistri militum*.

The later phases of the development thus far followed are seen in the East only. In the West, by the time of the composition of the *Notitia* (425 at the latest), a unification of control had already taken place which has no parallel in the East. The western *magister peditum praesentalis* had acquired a power greatly superior to that of the *magister equitum praesentalis* or of the eastern *magistri praesentales*. This extraordinary power consisted in the command over the *duces*

¹ *C. J.* 1, 29, 5.

² *Id.* 1, 27, 2.

³ *Th. Nov.* 24, 1, 5; *C. J.* 1, 31, 4.

⁴ *Cf. C. J.* 1, 27, 2.

⁵ *C. Th.* 7, 1, 18.

⁶ Seeck suggests that this control may have been a temporary arrangement, *Pauly-Wissowa*, 5, p. 1872.

⁷ *C. J.* 2, 35, 18; *cf. Seeck, l. c.*

and the *comites rei militaris* of the western half of the Empire. Six *comites* and ten *duces* were thus under his orders.¹ This officer had also the right to appoint many subordinate officers, as the prefects of the fleet, of the regular imperial troops and of the barbarian auxiliaries, the tribunes of the cohorts and a prefect of a legion.² Further, as the *comitatenses* in Gaul are not said to have been under the disposition (*sub dispositione*) of the Master of the Horse in Gaul, but merely to have been attached to his command (*cum magistro*),³ Mommsen⁴ maintains that they were really under the command of the Master of the Foot in the Presence, and also suggests that the Master in Gaul was his appointee.⁵ His first theory is probably correct, and the second may well have been true in many cases, owing to the extraordinary position assumed by the Masters at Rome, but was not held to have been an acknowledged right or it would have been mentioned in the *Notitia*.

This subordination of the *comites* and the *duces*, with the troops at their orders, to the military authority of the Masters, which was brought about, although in different ways, in both parts of the Empire, may be regarded as an acknowledgment of the inefficiency of the system of Constantine, with its division of authority, to cope with the military necessities of the time and to maintain the requisite discipline in the army.

An inscription has been quoted already to show that a Master had the right to advise the erection of a fort.⁶ And from numerous others we see that the building of fortified posts (*castella, burgi*),⁷ and the restoration and fortifying of cities,⁸ with regard to the military situation, fell under the direction of the *magistri militum*.⁹

¹ These were the *comites* of Italia, Africa, Tignitania, Tractua Argentoratensis, Britannia, and Litus Saxonicum per Britannias; and the *duces* of Mauretania Caesarensis, Tripolitania, Pannonia Secunda, Valeria Ripensis, Pannonia Prima and Noricum Ripense, Rhaetia Prima and Secunda, Belgica Secunda, Germania Prima, Britannia and Mogontiacensis.

² *N. D. occ.* p. 215, *praefecti classis, militum, laetorum, gentilium, tribuni cohortum, praefectus legionis*.

³ *Id.* p. 135.

⁴ *Hermes*, XXXVI, p. 539.

⁵ *Hermes*, XXXIV, p. 264.

⁶ *CIL.* 3, 10,596.

⁷ *CIL.* 3, 88, 3653; 8, 4358, 4677, 4799.

⁸ *CIL.* 2, 3420; 8, 101.

⁹ In *CIL.* 3, 5678 a Pretorian Prefect directs the building of a *burgus*, but this is exceptional.

In addition to the imperial troops mentioned above, the Masters of the Soldiers had at their disposal private corps which, although at first of no great importance, finally played a very considerable part in the military history of the Later Empire.

These private forces were composed of two classes of troops — *foederati* and *δορυφόροι καὶ ὑπασπισταί*. The *foederati* were troops raised by the various Masters who hired the services of these soldiers to the state which bore the cost of their maintenance. The *δορυφόροι* and *ὑπασπισταί* on the other hand, had an even more personal character, being recruited by the Master, maintained at his own expense, and reckoned as forming part of his household, although taking an oath of loyalty to the emperor. The *δορυφόροι* were officers and formed the bodyguard of their general, while the *ὑπασπισταί* were ordinary cavalry soldiers. These private forces (*comitatus*) had assumed formidable dimensions by the time of Justinian, Belisarius having 7000 men of this sort in his employ¹ and Valerius, a Master in Armenia, over 1000.²

The Judicial Powers and Privileges of the *Magistri Militum*.

The *magistri militum*, as well as the *comites rei militaris*³ and the *duces*,⁴ were military judges (*judices militares*). The jurisdiction of their courts, in common with that of the other military tribunals, was strictly limited to persons in the military service (*viri militares*).⁵ This jurisdiction not only extended over cases of breach of discipline or legal actions between soldiers (*inter milites*) but embraced all civil and criminal processes brought against such persons.⁶ In fact a soldier could not be prosecuted before any other judge, or condemned to punishment by him.⁷ Thus, if a soldier, when in one of the provinces, committed a public offence, the provincial governor was directed to keep

¹ Procop. *B. G.* 1, pp. 282–283 (Bonn).

² *Id.* 2, 27, p. 391. On these personal troops cf. Benjamin, *Quaestiones de re militari*, and Müller, *das Heer Justinians*, *Philologus*, 1912, pp. 114–120. Of course other officers than the Masters raised such corps. The latter were called *bucellarii* also, Seeck, *Pauly-Wissowa*, 3, p. 936.

³ *C. J.* 1, 36, 2, 416.

⁴ *Id.* 7, 62, 529.

⁵ *Id.* 1, 36, 2.

⁶ *C. J.* 3, 13, 6, 443; 12, 35 (36), 18, 492.

⁷ *Id.* 3, 13, 6.

him in custody and report on his offence and his status to the Master of the military diocese in which the province was, but not to try the case himself.¹

As the jurisdiction of the *magistri militum* extended over all *viri militares*, and since all who obtained a position in the offices of these Masters were reckoned as soldiers (*ordinis militaris*),² these latter also fell under the judicial authority of the Masters' courts.³ However, that the number of persons enjoying this privilege might not become too great, Theodosius enacted that only 300 employees (*apparitores*) in the office of each of the Masters should be excused from appearing in the court of the Pretorian or Urban Prefect without the consent of the Master.⁴ These 300 were called *apparitores statuti*.⁵ But the Masters did not limit the members of their offices to this number and Zeno had to enact that others than the *statuti* serving in these offices should be subject to the civil judges.⁶ Later Anastasius was obliged to call into force again Theodosius' restriction of their numbers to 300 and to declare that those in excess of this limit could on any charge be brought before the Pretorian Prefects or the provincial governors.⁷

Further, if any member of the office of a Master had deserted the ranks of the *curiales* and these, through the provincial governor, sought to recover him, a constitution of 412 authorized the investigation and decision of the case to be made by this officer who, however, was obliged to give notice of the charge to the Master.⁸ Later, Theodosius made a more elaborate provision for the handling of such cases. In 441 he enacted that whenever *apparitores* of a Master's office were claimed as *curiales* or *coloni* (*censibus adscripti*) the case was to be brought before the court of the Master and also before that of the Pretorian Prefect. If the case originated in the Master's court and he failed to report it within four months to the Prefect or provincial governor, then the Prefect could conduct it himself or delegate it to the civil judge. If the case originated before the Prefect he had a like obligation to bring it to the notice of the Master. Then these two

¹ *Id.* 9, 3, 1, 365.

² *Id.* 12, 54, 2, Valentinian and Valens.

³ *C. J.* 1, 29, 2, 414; *Th. Nov.* 7, 444; *C. J.* 12, 54, 5, 491-518.

⁴ *Th. Nov.* 7, 441.

⁷ *Id.* 12, 54, 5, 491-518.

⁵ *C. J.* 1, 29, 2, 414.

⁸ *C. Th.* 12, 1, 175, 412.

⁶ *Id.* 1, 29, 3, 476-485.

officials, acting in common, were to reach a decision within three months. If such a claim was brought before the provincial governor, the latter was to report it to the Prefect and the Master, and then to act as the law provided, i. e., try the case as prescribed in the constitution of 412. When an *apparitor* had been so tried and an appeal had been granted from the decision, then the case was to be tried anew by the Master and the Prefect together, even if the former had previously delegated it to a provincial governor.¹

The jurisdiction of the Masters over the *comites rei militaris* and the *duces* is implied in a constitution of 393,² which decided that, although the governor (*corrector*) of the province of Augustamnica had brought contumely upon the *dux* of the same province and deserved condemnation therefor, nevertheless, the Master was not to usurp the conduct of the case on the ground that the injured party was a *vir militaris*. The general rule for such cases was that the Prefect had the right to try cases brought against civil governors even when the plaintiff belonged to the military class.³ In the West, since the *comites* and *duces* were under the orders of the *magister peditum praesentalis* early in the fifth century, it is probable that from that time they were subject to his judicial authority also. When in 492 the *duces* were placed over the troops of the field army in the Orient (the *praesentales numeri*) they were under the command of the *magistri praesentales* and subject to their jurisdiction.⁴ The courts of these *duces* were subordinated to those of the Masters in the Presence, each of whom sent out an officer, called *ad responsum*, with assistants (*adiutores*) to advise the *duces* in legal matters.⁵ It was forbidden for any one to enter suit against a *praesentalis* both in the court of a *dux* and of a Master in the Presence, or for the same man to be prosecuted at the one time on a civil charge in one, and on a criminal charge in the other, court. However, the Emperor Leo enacted that the *duces*, their *apparitores*, the *limitanei* and the *castrorum praepositi* should be subject to the jurisdiction of the Master of the Offices alone, with an indefinite reservation of the power of the *magistri militum* sanctioned by use and wont in regard to the

¹ *Th. Nov.* 7, 441.

² *C. Th.* 1, 7, 2.

³ *De ordinario iudice semper inlustris est cognitio praefecturae; licet militari viro ab eo facta sit iniuria.* *C. Th.* 1, 5, 10 = *C. J.* 1, 26, 4, 393.

⁴ *C. J.* 12, 35 (36), 18.

⁵ *Id.*

limites of the Orient, Thrace and Illyricum.¹ This would seem to indicate that the Masters had acquired a certain judicial authority over the *duces*.² But Justinian followed in the footsteps of Leo in ordering that an appeal coming from the court of a *dux* (*ducianum iudicium*), even if one having the rank of a Master or consul were the temporary judge (*magisteriae potestatis nec non consularis*), should be received in the *scrinium epistularum* and laid before the Master of the Offices and the Quaestor in common.³

Therefore, in the East the *magistri militum* seem to have had jurisdiction over the *duces* and *comites rei militaris* in so far as the latter were under the direct military authority of the Masters, being in command of the troops of the field army in their respective provinces. They do not, however, appear to have had the same power, except by usurpation, over the *duces* as commanders of the *limitanei*, as the *limites* were supervised by the Master of the Offices,⁴ who had judicial competence over their commanders. Further, a tendency on the part of the Masters to incroach upon the civil jurisdiction is noticeable in connection with the *apparitores* to whom the Masters gave the benefits of their courts even when they were in excess of the prescribed number. Also the attempts on the part of the *curiales* and *coloni* to enter the service of these military officials is a testimony to the desire of these classes to escape from their burdens as well as to the protection that the military classes enjoyed against the oppression of the fiscal authorities.

From the court of the *magistri militum*, as from those of all other officials, appeal could be made to the emperor.⁵ The Masters might also refer cases to the emperor for his decision.⁶

Prosecutions brought against the *magistri militum* were regulated by the law of Anastasius in regard to procedure against *illustres* of similar rank.⁷ The substance of this law is as follows. A distinction was made between those who had actually served as masters and those who had only received the honorary title as *vacantes* or *honorarii*. The former in public and private suits were under the jurisdiction of the emperor in person, or the *cognitor* appointed to represent him

¹ C. J. 12, 59 (60), 8.

³ C. J. 7, 62, 38, 529.

² Cf. Karlowa, R. R. 1, p. 862.

⁴ Th. Nov. 24, 1, 5; C. J. 1, 31, 4.

⁵ C. Th. 11, 30, 30, 362, expanded in C. J. 7, 67, 2.

⁶ C. J. 6, 61, 5, 473.

⁷ C. J. 3, 24, 3, 485-486 (?).

in the case under examination. The *vacantes* and *honorarii* had to appear before the regular civil judges.

The investigation by the *cognitor* was conducted in the same manner as the imperial inquest,¹ and the necessary secretaries and clerks were furnished by the *scrinium libellorum*, and not by the *officium* or *schola* of any high officer. The reason for these regulations was probably that the *cognitor* was acting *vice imperatoris* and nothing was to be done in a way that would suggest that any official other than the emperor himself had judicial competence over these Masters. Accordingly the Masters were allowed to sit in any part of the court room (*secretarium*) they chose, provided that it was lower than the place of the judge and higher than that of their accusers, until the charge against them had been proven.² Even when the charge was proven the *cognitor* could not deliver sentence but had to refer the matter to the emperor for his decision.³ If the prosecution failed, the accuser had to undergo the punishment for *contumelia* in accordance with the regular statutes, unless he were of equal rank with the defendant. In this case the matter was in the hands of the emperor.

Regarding the *vacantes* and *honorarii* the law distinguished between those resident in Constantinople and those living in the provinces.

The former, in criminal cases, appeared before the Pretorian or Urban Prefect, or, in special circumstances, before the Master of the Offices. They had not the privilege of remaining seated during the trial. However, these judges were also incompetent to render a decision when the accusation had been proven, unless the question had first been referred to the emperor.

But in criminal suits brought against the honorary Masters in the provinces, the latter had the right to be seated in the court. The judges of such suits are not specified but seem to have been the ordinary provincial authorities. Judgment was given in these cases in accordance with the reply (*responsum*) made by the emperor to a report (*relatio*) informing him of the results of the trial. The punishment of unsuccessful accusers for calumny only rested with the provincial

¹ *More atque habitu sacrorum consultationum, absque nulla videlicet observatione dierum fatalium, id.*

² *Quae iudicibus inferior, altercantibus vero superior, videatur, id.*

³ *Ullionis autem tantis inferendae dignitatibus non nisi in principis residebit arbitrio, id.*

judges when the former were of similar rank with, or lower than, themselves.

These regulations only covered criminal cases. In civil suits, therefore, the *vacantes* and *honorarii*, unlike the *administratores*, were subject in all respects to the ordinary tribunals.

The Further Competence of the *Magistri Militum*.

As a result of their command over the army the *magistri militum* acquired an extensive field of action in matters concerning the condition of the troops in general and the relations between the soldiers and ordinary citizens (*provinciales*). Upon these points the constitutions issued to the Masters give much information.

The recruitment of soldiers was subject to the supervision of the Masters,¹ but a constitution of Zeno directed that, while the Masters were to announce the number of recruits necessary, they should enroll none but those having the imperial *probatoria*.² The penalty for the violation of this order was fixed at one hundred pounds of gold.

Also questions relating to veterans,³ promotion,⁴ the inheritances of soldiers dying intestate,⁵ the abuse of *commeatus*⁶ and *hospitium*,⁷ the restraining of soldiers from occupying public lands,⁸ from engaging in private business,⁹ their general relations with the provincials,¹⁰ and the relations of the *tribuni*, *duces* and *comites* to the *curiales*,¹¹ were settled by the authority of the *magistri militum*.

For the maintenance of the troops the Masters were dependent upon the Prefects, in accordance with the general scheme for the division of civil and military authority and the limitation of the power of important officials.¹² However, the Masters exercised a superintendence over the distribution of the allowances furnished by the civil authorities,¹³

¹ *C. Th.* 7, 1, 8; *C. J.* 11, 68, 3; 12, 33, 3.

² *C. J.* 12, 35, 17. The allotment of the obligation to furnish recruits was in the hands of the civil authorities.

³ *C. Th.* 7, 28, 9, 11, 12.

⁴ *Id.* 7, 1, 7.

⁵ *Id.* 5, 6, 1.

⁶ *Id.* 7, 1, 12.

⁷ *Id.* 7, 9, 3.

⁸ *Id.* 2, 31, 1.

⁹ *Id.* 1, 21, 1; *C. J.* 4, 65, 31; 12, 35, 15.

¹⁰ *C. Th.* 3, 14, 1; 7, 7, 3.

¹¹ *Id.* 12, 1, 128.

¹² *Zos.* 2, 33, 5.

¹³ *C. Th.* 7, 1, 11; *C. J.* 12, 37, 16.

and, to keep a check upon peculation, the account books with the record of this allotment were subject to the supervision of the *principes* in the offices of the Masters.¹ The distribution of the *annona* in the form of money, instead of in kind, to such officers as so desired it, came likewise under the cognizance of the *magistri militum*.²

For some time prior to 415 these Masters, together with the Master of the Offices, had exercised, perhaps by usurpation, the right of appointment to the *praepositurae minoris laterculi*.³ In that year, however, the previous system was re-established to a certain degree, and the nomination to forty of these posts was recovered for the Quaestor.⁴ Apparently this arrangement still left some of these appointments in the hands of the Masters.

Originally the authority of the *magistri militum* was confined to the *virī militares* alone, while the Prefects exercised full authority over the *provinciales*.⁵ But the constitutions of the fifth century contain directions for the Masters in the West regarding such matters as the enforcement of the papal authority on the Gallic bishops,⁶ the ecclesiastical courts⁷ and the selling of children by their parents.⁸ And in the next century in the East, besides constitutions regulating the military organization of Africa,⁹ and defining the authority of the *dux* of Lycia and Lycaonia,¹⁰ an edict dealing with an ordinary civil suit was addressed to a *magister militum*.¹¹ Thus we see that everywhere the military authority tended to encroach upon the civil, a tendency which has been seen more clearly in the province of Africa, where the Master was regularly at the same time Prefect, or, if not, was at least the superior official.¹²

However, Justinian decided that in matters pertaining to taxation the Proconsul of Cappadocia should have authority over the subordinates of the *magister militum*,¹³ with the apparent intention of keeping all matters of a fiscal nature out of the hands of the military authorities.

¹ C. J. 12, 37, 9.

² C. Th. 7, 4, 36.

³ *Praepositi, tribuni, praefecti*.

⁴ C. Th. 1, 6, 1.

⁵ C. J. 1, 29.

⁶ Val. Nov. 17.

⁷ Maior. Nov. 11, de *episcopali iudicio*.

⁸ Val. Nov. 33.

⁹ C. J. 1, 27, 2.

¹⁰ J. Nov. 145.

¹¹ Id. 55.

¹² Diehl, *L'Afrique Byzantine*, pp. 117, 122, 471, 472; cf. *magister militum Africae*.

¹³ J. Nov. 30, 6, 1.

The Bureaus of the *Magistri Militum*.

The bureaus or offices (*officia*) of the *magistri militum* as constituted in the early fifth century are given in the *Notitia Dignitatum*. The general composition of all the bureaus was the same, although there were slight differences in the number, names, and method of appointment of the subordinates in the several offices.

Regarding the offices of the *magister militum praesentalis* I in the Orient, of the *magister per Thracias*, and of the *magister per Illyricum*, the *Notitia* says that the *officiales* serving in these bureaus were selected from the ranks of the soldiers, retained their military status and only acted in the bureaus as long as required.¹

The members of the offices of the remaining two Masters in the Orient, the *magister militum praesentalis* II and the *magister per Orientem*, on the contrary, are said to have not been recruited from among the regular soldiers but to have been associated permanently with the person of their Master and not enrolled in any of the corps of troops on active service.²

The reason for this distinction in the composition of the offices is not clear, nor is anything said on this point regarding the offices of the Masters in the West. There, however, as will be seen, the office of the *magister equitum per Gallias* was partly manned by appointees of the *magistri in praesenti*. In the East the Masters in the Presence did not enjoy any such privilege with respect to the other Masters.

The offices were composed of the following members.

(a) *Princeps*. — At the head of each bureau was a *princeps*, in whose hands was the general supervision of the office. He held the list of the members of the bureau, had the right to grant them leave of absence, received a share of the fees paid to the office, executed in person the important orders of the Master, and, in addition to official

¹ *Officium autem superscriptae magisteriae in numeris militat et in officio deputatur, N. D. or. pp. 14, 26, 30.*

² *Officium autem superscriptae magisteriae potestatis cardinale habetur, N. D. or. pp. 18, 22.*

Gothofredus on *C. Th.* 12, 6, 7, explaining *cardo* by κέντρον, *quod fixum et immobile est*, writes — *igitur cardinale officium hic quod fixum et immotum in cardine suo, magistro militum, inquam, non vero per nummos militares quomodo tria illa magistrorum militum officia.* Cf. Böcking, *N. D.* 1, p. 205.

assistants (*adiutores*), had the right to employ private ones (*domestici*) himself.¹

It is specifically mentioned that the account books recording the distribution of allowances to the soldiers and prepared by the officers of the Prefects were checked by these *principes*.²

In the office of the *magister equitum per Gallias* the *princeps* was an annual appointee, deputed alternately from the bureau of the *magister peditum praesentalis* and that of the *magister equitum praesentalis*.³ Thus the office of the Master in Gaul was really under the control of the Masters in the Presence and a powerful check was placed upon the activities of the former, and an apparent centralization of the military command was maintained in this way.

(b) *Numerarii*. — Next to the *princeps* came two *numerarii* or accountants in the offices of the East and in Gaul, but only one in those of the *magistri praesentales* of the West.⁴ Of the accountants in the office of the Master in Gaul one was deputed from each of the offices of the Masters in the Presence.⁵ The policy here was the same as that governing the appointment of the *princeps*. The duty of the *numerarii* was to keep the accounts of the office. Zeno, upon being petitioned by the offices, fixed the term of service (*actus*) of these accountants at one, in place of two, years.⁶

(c) *Commentariensis*. — A third official was the *commentariensis* or recorder.⁷ This clerk had charge of the records of the bureau, especially of those referring to matters of criminal jurisdiction.⁸

(d) *Adiutor*. — After the recorder there appears, in the offices of the western Masters and in that of the Master in the Orient, an *adiutor*. The other bureaus lack this member. The *adiutor* was the assistant of the *princeps* and shared his duties.

¹ Lécivain, *Daremborg et Saglio*, 4, pp. 155-159, chiefly inferred from what is known of the *principes* of the offices of other officials.

² *C. J.* 12, 37, 9, 398.

³ *N. D. occ.* p. 137, *ex officiis magistrorum militum praesentalium, uno anno a parte peditum, alio a parte equitum*.

⁴ *N. D. occ.* pp. 115, 128.

⁵ *Id.* p. 137.

⁶ *C. J.* 12, 49, 11.

⁷ In the office of the Master in Gaul he ranks above the *numerarii*, *N. D. occ.* p. 137.

⁸ Lécivain, *Daremborg et Saglio*, 4, p. 157.

(e) *Primi Scrinii*. — The Masters in the Presence in the Orient and the Masters in Thrace and Illyricum had in their offices clerks called *primi scrinii*. These were the heads of the departments or *scrinia*, into which the subordinates of the offices were divided for the more efficient handling of the business of the bureaux.¹ At the end of their service these *primi scrinii* might be promoted to the rank of *numerarii*.²

(f) *Scriniarii*. — All the eastern, but none of the western offices had *scriniarii*. These were the clerks organized in the *scrinia* under the *primi scrinii*.

(g) *Mensores*. — *Mensores* appear only in the office of the Master in the Orient. They seem to have acted as quartermasters, whose duties were in connection with the marking out of sites for encampments.³ Perhaps "surveyors" would be an adequate translation of their title.

(h) *Regerendarius*. — The western offices were equipped with officials known as *regerendarii*. There was one in each office, ranking next to the *adiutor*. The *regerendarii* apparently had charge of the despatch and delivery of documents by means of the state post (*cursus publicus*).⁴

(i) *Exceptores*. — All the offices had *exceptores* who were the clerks who wrote documents from dictation.

(j) *Ceteri Apparitores*. — Likewise each office had other *apparitores*, as the members of these bureaux were generally called.⁵ Their special functions, if they had such, are not defined. Mention is made elsewhere⁶ of *chartularii* of a Master, who must have been included among the *apparitores*.

It has been pointed out that in some of the bureaux of the Masters the members were deputed for this clerical service from the ranks of the

¹ Lécivain, *o. c.* p. 158.

² *Primi scrinii qui numerarii fiunt*, *N. D. or. passim*.

³ The imperial *ensores* had the duty of quartering the imperial suite, *C. Th.* 7, 8, 4, 393.

⁴ Cf. *regerendarius* in *Daremberg et Saglio*, 4, p. 817.

⁵ Cf. *C. J.* 12, 54, *de apparitoribus magistrorum militum et privilegiis eorum*.

⁶ *C. Th.* 8, 7, 5, 354. Their duties are not certain although they seem to have had something to do with the *annona* and with the lists of the soldiers on active service, Seeck, *Pauly-Wissowa*, 3, p. 2193.

regular soldiery and that in others they were recruited elsewhere. Naturally those drawn from the active units belonged to the military class, but at one time the others were not included in the *ordo militaris*.¹ However, in 441, Valentinian III decided that all who obtained service in the offices of the Masters became, *ipso facto, viri militares*.² Their names were put on the roll (*matricula*) of the office and this constituted their enrolment in the *ordo militaris*.³

Curiales, *cohortales*, and *censibus adscripti* were excluded from the *apparitores*. As we have seen, a special form of enquiry was provided under the joint authority of the Prefects and the Masters to consider the cases of those who had joined a Master's office and were denounced as belonging to these classes.⁴ However, if a *curialis* had served as a *chartularius* for twenty-five years, he could claim the privilege of the military class (*privilegium militiae*), and all *chartularii* who had, at any time or on any ground, received a sanction of their presence in the offices (*probatum quacunque ratione vel quocunque tempore*), were entitled to continue in the service. A special provision was made in this connection for *ministeriales*, *paedagogiani* and *silentarii*,⁵ for whom fifteen years of service annulled all former obligations.⁶

Since the members of these offices from 441 were included in the *ordo militaris*, they could claim the privilege of the jurisdiction of the *magistri militum*. But it has been seen that the number of those entitled to enjoy this right was limited to 300, the so-called *statuti*, while the rest were under the jurisdiction of the civil judges,⁷ and Anastasius ordered that the *scriniarii* or *apparitores*, although enrolled in the offices of the Masters, could not make use of the *ius militare* in the matter of wills.⁸

¹ This is implied clearly by *C. Th.* 12, 6, 6, 365, *his, qui in officio magistrorum equitum et peditum militaverunt, si quidem ordinis sint militaris*. *C. J.* 12, 52, 2 has altered *sint* to *sortiti sint*.

² *C. J.* 12, 53, 2.

³ *Id.* 6, 21, 16.

⁴ *Th. Nov.* 7, 4, 441.

⁵ *Ministeriales* and *paedagogiani* were subordinates of the *castrensis*, *C. Th.* 8, 7, 5. *Silentarii* were court chamberlains, *C. J.* 12, 16.

⁶ *C. Th.* 8, 7, 5, 354.

⁷ *Th. Nov.* 7, 4; *C. J.* 1, 29, 3; 12, 54, 5.

⁸ *C. J.* 6, 21, 16. The privilege of making a military testament was limited by *C. J.* 6, 21, 17, *his solis qui in expeditionibus occupati sunt*.

The *officiales* were excused from the duty of acting as *suscriptores*, i. e., from being deputed to collect the *annona* for the support of the troops in the various provinces.¹ In 354 a constitution restricted the right of *adoratio* to those members of the offices who had actually served under arms and accompanied their detachments on active service.²

The regular soldiers (*numerarii*) in the offices of the Masters were placed on an equal footing with the *tribuni praetoriani*, so that, after the completion of their service, they enjoyed immunity from all extraordinary requisitions at the hands of civil or military governors.³ Those who were *principes* ranked with the military tribunes of the watch (*tribuni militares vigilum*).⁴ In common with the members of other offices, those in the service of the *magistri militum* were at times given the honorary rank of *ex protectoribus* by an imperial rescript.⁵

In the West the *comites rei militaris* and the *duces* of the several provinces received, as did the Master in Gaul, the *principes* and *numerarii* of their respective offices from the bureaux of the Masters in the Presence.⁶ Further, it was a general rule in the West that the officials so detailed from the central offices were sent in equal numbers or in alternate years from the bureaux of the *magister peditum praesentalis* and of the *magister equitum praesentalis*. In some cases however, they were despatched from the former office only.

Thus the *comites* of Africa, Tignitania, Mauretania and Britain, with the *duces* of Raetia, Tractus Amoricus and Britain, received their *principes* from the Masters in the Presence alternately, their *commentariensis* in a similar manner and one of their two *numerarii* from each of the central offices.⁷ The *duces* of Tripolitana, Pannonia Secunda, Valeria and Pannonia Prima received their *principes* in the

¹ C. Th. 8, 31 = C. J. 12, 54, 1; C. Th. 12, 6, 6 = C. J. 12, 54, 2.

² C. Th. 8, 7, 4.

⁴ Id.

³ C. J. 12, 54, 4, 441.

⁵ C. Th. 8, 7, 3, 349.

⁶ C. Th. 1, 3, 7. In the East these *principes* were deputed from the *schola* of the *agentes in rebus*, cf. N. D. *or. passim*.

⁷ N. D. *occ. pp.* 175, 178, 183, 185, 201, 205, 212. In the case of the *dux Tractus Amoricani* there appears but one *numerarius*, *a parte peditum uno anno*. Böcking, in his edition, completes — *altero a parte equitum*; while Seeck reads *omni anno*. The latter, under the *dux Britanniae*, reads *duo numerarii ex utrisque officiis omni anno*.

same way as the officers just mentioned, but nothing is said about their other clerks.¹ The *dux Mogontiacius* had his *princeps* appointed as the former, but his *numerarius* and *commentariensis* were always delegated from the office of the *magister peditum*.² Finally, the *comes Litoris Saxonii* received all his *officiales* from the bureau of the latter Master only.³

The effect of this arrangement was the subordination of the offices of the *duces* and the *comites* in the West to the *magistri praesentales*, who in this way controlled to a certain extent the actions of the *comites* and *duces* themselves. Naturally, when there was only one *magister praesentalis*, as was the case in the fifth century, all the appointments issued from his office only. This system of nominating the staff of the provincial commanders was in harmony with the method of their own appointment through the *magister peditum praesentalis*. On the contrary, in the East the Master of the Offices controlled the appointment of the *principes* of the *duces* and *comites*⁴ and thus supervised the working of their offices.

The *Domestici* of the *Magistri Militum*.

In addition to these assistants who have just been considered the *magistri militum* had in their employ *domestici*. These *domestici* were not given a place in the offices nor do they appear in the *Notitia*, although they are frequently referred to in the Codes. The reason for this may be that the *domestici*, being appointed at the pleasure of their Masters, were regarded theoretically as holding no official position but as acting in an entirely personal relation to the officials who employed them.⁵ These *domestici* are recorded by Ammianus for as early as 355.⁶

Whatever the theory regarding his position may have been, in practice the *domesticus* took an active share in the administration of a *magister militum* and enjoyed in a high degree his confidence and esteem. He was regarded as being a sharer in the secret councils of

¹ *Id.* pp. 187, 191, 195. Seeck suggests that the remaining *officiales* were appointed in similar manner.

² *Id.* p. 214.

³ *Id.* p. 181.

⁴ Cf. *N. D. or. passim*.

⁵ Seeck, *Pauly-Wissowa*, 5, pp. 1296 ff. Cf. *C. J.* 1, 51, 4, 404.

⁶ 15, 6, 1.

his Master,¹ and Heraclianus married his daughter to his *domesticus*.² The *magister militum* Sarus revolted against Honorius because the emperor did not exact punishment for the murder of Belleridus, the Master's *domesticus*.³

These *domestici* also handled the receipts of the Masters' offices,⁴ and were concerned with the distribution of the *annona*.⁵ In fact the *domestici* sometimes directed the general conduct of the office of their patrons and were also given independent commands.⁶ However, this increase of power on the part of the *domestici* is a later development in the Orient and does not appear in the West.

The *domesticus* was thus rather a member of the retinue (*oikia*) than of the bureau of the Master.⁷ His authority was derived from the Master himself and not through imperial appointment but owing to his proximity to the Master's person he naturally assumed a more and more official position and obtained formal recognition of the actual power that he exercised.

Privileges of the *Magistri Militum*.

The *magistri militum* in the East had the right to issue a limited number of *evectiones*, or passes, entitling the bearer to use the state post (*cursus publicus*). The two Masters in the Presence and those in Thrace and Illyricum were restricted to fifteen for each year, but the Master in the Orient was allowed twenty-five.⁸ The *Notitia* does not record this privilege for the Masters in the West, although it would be strange if they did not enjoy it.

¹ Amm. 15, 6, 1; Procop. *B. V.*, p. 326 (Bonn), ὁ δὲ ἀπορρήτων Ἀσπαρ ἔφη κοινωνὸς εἶναι (δομestikὸν δὲ τοῦτον καλοῦσι τῇ σφετέρᾳ γλώσσᾳ Ῥωμαῖοι).

² Orosius, 1, 42, 11.

³ Olympiodorus, fr. 17 in *FHG.* 4, p. 61, ἦν δὲ ἀποστὰς Ὀνορίου ὅτι Βελλερίδου, ὃς ἦν αὐτῷ δομestikὸς, ἀναιρεθέντος, οὐδεὶς λόγος τῷ βασιλεῖ τῆς ἀναιρέσεως οὐδὲ τοῦ φόνου γίνεσθαι εἰσπραξίς.

⁴ Malchus, fr. 16 in *FHG.* 4, p. 123, a. 479, τοὺς προαγωγέας τῶν λημμάτων τῆς ἀρχῆς, οὓς δομestikοὺς καλοῦσι Ῥωμαῖοι.

⁵ *C. J.* 12, 37, 19, 4.

⁶ Procop., *B. V.*, p. 204 (Bonn), ἄρχοντες δὲ ἦσαν . . . καὶ Σολόμων ὃς τὴν Βελισαρίου ἐπερόπευε στρατηγίαν (δομestikὸν τοῦτον καλοῦσι Ῥωμαῖοι).

⁷ Benjamin, *das Heer Justinians*, p. 26 on the *oikia*.

⁸ *N. D. or.* pp. 11, 18, 19, 23, 27.

Again, in common with most of the other high officials the Masters were accorded exemption from furnishing recruits or horses for the army from their estates.¹ Since many of these officers were large proprietors this privilege was of great value to themselves and also of advantage to the tenants on their domains.

The Official Career of the *Magistri Militum*.

The *magistri militum* were naturally promoted from among the military officers of lower rank. In the fourth century their regular *cursus honorum* seems to have been *tribunus*, *dux* or *comes*, *magister militum*.² Sometimes, however, the Masters were advanced directly from the tribunate without any intervening step.³ Under Justinian the principle remained the same and the Masters were regularly promoted from among the *duces*.⁴ The rôle played by barbarian princes in the guise of *magistri militum* belongs to the general history of the times and need not be enlarged upon here.

The chief phases in the history of the office of *magister militum* may be summed up in the following manner. The *magistri militum* were the outcome of an effort to separate the military from the civil authority and, by creating a sort of balance of power among the highest officials in the state, to check the aspirations of rivals for the imperial power. At first there were but two such Masters, one the commander-in-chief of the infantry and the other of the cavalry. Then, with the epoch of two emperors the number of Masters was doubled, and a change took place in the nature of their office whereby they received the command over both branches of the service. This resulted in a

¹ C. Th. II, 18, 1, 409.

² E. g., Aequitius, *tribunus* (Amm. 26, 1, 4), *comes* (26, 5, 3), *magister* (26, 7, 11); Arintheus, *tribunus* (15, 4, 10), *dux* (24, 1, 2), *magister* (26, 5, 2), *magister peditum* (27, 5, 4); Dagalaifus, *comes* (21, 8, 1), *magister* (26, 1, 6); Julius, *comes* (26, 7, 5), *magister* (31, 16, 18); Lucillianus, *comes* (14, 11, 14), *magister* (21, 9, 5); Theodosius, *tribunus*, *dux* (27, 8, 3), *magister* (28, 5, 15); Trianus, *comes* (29, 1, 2), *magister* (29, 5, 1).

³ Agilo, *tribunus* (Amm. 14, 10, 8; 20, 5, 2), *magister* (*id.*); Silvanus, *tribunus*, (15, 5), *magister* (22, 3, 11). From Amm. 16, 6, 1, *Arbitio, a gregario ad magnum militiae reclus* (*magister*, 14, 11, 2), one is not to infer that Arbitio was promoted from the ranks to the mastership without any intervening grades.

⁴ Müller, *Philologus*, 1912, p. 105.

corresponding change in their title so that they were no longer *magistri peditum* or *equitum* but *magistri militum*. At the same time, the number of the Masters was increased and a definite district was assigned to each for his command so that any one Master could no longer exercise his authority throughout the whole empire. However, the political and military situation enabled the holders of one of the masterships in the West to absorb or overshadow the power of their colleagues, and thus arose a series of "kingmakers" which ended only when a Master ascended the throne in the person of Theodoric. Attempts to bring about a similar change in the relations of the eastern Masters were made, notably by Aspar the Alan, but remained unsuccessful. In this half of the Roman world the final stage in the history of the office was reached when, either through a reunion of the civil and military power the character of the mastership was again changed and consequently a new title therefor adopted, as in Italy and Africa, or by a division of the commands of the Masters into smaller districts called themes, under officers called Strategoi, as in the more easterly provinces of the Empire, the masterships were finally abolished.

Thus we see that the creation of this office was an experiment fatal to the Roman power in the West, where, instead of putting a check upon the appearance of pretenders to the throne, it facilitated the rise of new ones before whom the Empire finally succumbed. And in the East this system in the end showed itself incapable of meeting the military requirements of the wars against the barbarian invaders. It gave place to one which removed the endless conflicts of power necessarily arising from the contact of civil and military officials who had the same rank and were mutually dependent upon each other for the successful performance of their duties.¹

RECAPITULATION

We have now seen how the title of Master was adopted for military, as well as civil, officials of the Empire. However, during the period of the Principate it was confined to various subaltern officers, none of whom ranked higher than a centurion. Even in the Later Empire the title never obtained in military circles the wide-spread usage that was

¹ Cf. Gelzer, *Themenverfassung*, p. 7.

given to it in the civil departments, being chiefly confined to a small group of high officers with similar rank and functions. Between the titles of these earlier and later Masters there seems to have been no connection, but apparently a conscious revival of the name of an old republican office was effected. Further, as the title of the *magistri militum* was translated and not, as that of the Master of the Offices, transcribed into Greek, it ceased to exist in the Byzantine Empire. However, in the West, after the disappearance of the old office of *magister militum*, it continued in use, denoting the commanders of the military forces in Italian cities and districts, who, however, have not been considered, as they appeared later than the period with which this study deals.

The history of the use of the title Master as an imperial official designation has thus been traced in connection with the discussion of the masterships in the civil and military service respectively. On the basis of this examination of the masterships it seems impossible to formulate any principle which in specific cases can be said to have determined the employment of this title. The general adaptability of the word *magister* to denote any one who had the control over some administrative or executive department, in which he exercised authority over a larger or smaller number of subordinates, alone accounts for its wide-spread use as a title in imperial official circles.

AN INDEX TO THE INSCRIPTIONS RECORDING *MAGISTRI* IN
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- Promagister XX Hereditatium*. — *CIL.* 6, 1620, Rome.
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Magister Kampi (?). — *CIL.* 8, 2562, Lambaesis, *aet. Alex. Sev.*

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8, 4354, 678-682 A.D., Numidia.

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3, 4668, 4669, 4670, Carnutum.

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6, 32,050, 589 A.D., Rome.

8, 101, *aet. Justiniani*, Capsa.

8, 259, *id.* Sufes.

8, 1863, *id.* Therveste.

8, 4354, 578-582 A.D., Ain Ksar, Numidia.

8, 4677, *aet. Just.* Madura.

8, 4799, *id.* Gadianfala.

9, 4051, 398-408 A.D., Carseoli.

Dessau, *Inscriptiones Latinae Selectae*, 9217a, b, Rusguniae, Mauretania.